

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

“Oliver signs legislation to assist students, hard-of-hearing community,” NJBIZ, August 6, 2019

“New laws enhance education access for deaf students, families - New laws enhance access to education for deaf students and families,”
The Press of Atlantic City, August 8, 2019

RWH/CL

P.L. 2019, CHAPTER 205, *approved August 5, 2019*
Senate ,No. 2045 (*Fourth Reprint*)

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]** 15² 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]** Listening 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;

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[(7)] (8) an expert who holds a master's or doctorate degree
 2 who researches language outcomes for deaf and hard of hearing
 3 children using only American Sign Language;
 4 (9)² a certified teacher of deaf and hard of hearing students
 5 whose expertise is in curriculum and instruction in American Sign
 6 Language and English;
 7 ²[(8)] (10)² an advocate for the teaching and use of the dual
 8 languages of American Sign Language and English;
 9 ²[(9)] (11)² an advocate for the teaching and use of ⁴[spoken
 10 English]⁴ ²[, with or without visual supplements]² ⁴Listening and
 11 Spoken Language⁴;
 12 ²[(10)] (12)² an early intervention specialist ², who is
 13 appropriately certified and, if required, licensed,² who works with
 14 deaf and hard of hearing infants and toddlers using the dual
 15 languages of American Sign Language and English;
 16 ²[(11)] (13)² a certified teacher of deaf and hard of hearing
 17 students whose expertise is in American Sign Language and English
 18 language assessment;² ²[and]²
 19 ²[(12)] (14)² a speech ²language² pathologist ⁴[from spoken
 20 English]⁴ ²[, with or without the use of visual supplements] ⁴with
 21 expertise in Listening and Spoken Language for children who are
 22 deaf and hard of hearing⁴ ; and
 23 (15) an audiologist who provides direct services in the
 24 classroom, including the educational management, verification, and
 25 fitting of appropriate amplification including hearing aids and
 26 hearing assistance technologies².
 27 c. Appointments to the working group shall be made within 30
 28 days after the effective date of this act. Vacancies in the
 29 membership of the working group shall be filled in the same
 30 manner as the original appointments were made.
 31
 32 2. a. It shall be the duty of the working group to examine,
 33 research, and make recommendations to the Department of
 34 Education ³and the Department of Health³ for:
 35 (1) the development of a resource guide for parents to monitor
 36 and track deaf and hard of hearing children's expressive and
 37 receptive language acquisition and developmental stages toward
 38 English literacy; ³[and]³
 39 (2) the selection of one or more early intervention assessments
 40 to be used by educators to assess the language and literacy
 41 development of deaf and hard of hearing children³; and
 42 (3) the development of methods of evaluation to annually collect
 43 and publicly report data on language acquisition and developmental
 44 progress of children from birth to age five who are deaf or hard of
 45 hearing³ .

1 b. The working group shall issue a report, including its
2 recommendations, no later than one year after the working group
3 organizes.

4
5 3. a. The Department of Education, in an effort to assist deaf
6 and hard of hearing children in becoming linguistically ready for
7 kindergarten and in consultation with the Department of Health,
8 shall develop a parent resource guide for use by parents of deaf and
9 hard of hearing children.

10 The parent resource guide shall:

11 (1) help parents monitor and track deaf and hard of hearing
12 children's expressive and receptive language acquisition and
13 developmental stages toward English literacy by presenting
14 language developmental milestones ²**[in terms of typical**
15 **development of all children, by age range]**²;

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

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

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

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

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

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

34 c. The department shall make the parent resource guide
35 developed pursuant to this section publicly available on its website.
36

37 4. a. The Department of Education ³, in consultation with the
38 Department of Health,³ shall, after consideration of the
39 recommendations provided by the working group established
40 pursuant to section 1 of this act, ³**[select one or more]** develop
41 guidance regarding³ early intervention assessments ³**[to be used by**
42 **educators]**³ to assess the language and literacy development of deaf
43 and hard of hearing children. The ³**[selected assessments]**
44 guidance³ shall ³**[track]** include information regarding³ the
45 development of deaf and hard of hearing children's expressive and
46 receptive language acquisition and ³the³ developmental stages
47 toward English literacy ³of children who are deaf and hard of

1 hearing³, and shall be appropriate for the assessment of children
2 from birth to five years of age.

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

6
7 5. The Department of Education ³and the Early Intervention
8 Program in the Department of Health³ shall ³implement the
9 methods developed by the working group pursuant to section 2 of
10 this act to³ annually collect and publicly report data on the language
11 acquisition and developmental progress of children from ³[age
12 two] birth³ to age five who are deaf or hard of hearing.

13
14 ³[6. The Early Intervention Program in the Department of
15 Health, established pursuant to section 2 of P.L.1993, c.309
16 (C.26:1A-36.7), shall annually collect and publicly report data on
17 the language acquisition and developmental progress of infants and
18 toddlers from birth to age two who are deaf or hard of hearing.]³

19
20 ³[7.] 6.³ This act shall take effect immediately and the
21 working group shall expire on the 30th day after the submission of
22 its report.

23
24
25 _____
26
27 Establishes Working Group on Deaf Education; directs DOE to
28 develop parent resource guide; requires DOE and DOH to collect
29 and report certain data on deaf and hard of hearing children from
30 birth to age 5.

SENATE, No. 2045

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED FEBRUARY 26, 2018

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator M. TERESA RUIZ

District 29 (Essex)

Co-Sponsored by:

Senator Diegnan

SYNOPSIS

Establishes Working Group on Deaf Education and directs DOE to develop parent resource guide and select early intervention assessments for use in identifying language delays in deaf and hard of hearing children.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/15/2018)

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 12 members appointed
14 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) a parent of a child who is deaf or hard of hearing who uses
18 only spoken English, with or without visual supplements;

19 (3) a certified teacher of deaf and hard of hearing students who
20 use the dual languages of American Sign Language and English;

21 (4) a certified teacher of deaf and hard of hearing students
22 employed at a nonpublic school;

23 (5) an expert who researches language outcomes for deaf and
24 hard of hearing children using American Sign Language and
25 English;

26 (6) an expert who researches language outcomes for deaf and
27 hard of hearing children using spoken English, with or without
28 visual supplements;

29 (7) a certified teacher of deaf and hard of hearing students
30 whose expertise is in curriculum and instruction in American Sign
31 Language and English;

32 (8) an advocate for the teaching and use of the dual languages of
33 American Sign Language and English;

34 (9) an advocate for the teaching and use of spoken English, with
35 or without visual supplements;

36 (10)an early intervention specialist who works with deaf and
37 hard of hearing infants and toddlers using the dual languages of
38 American Sign Language and English;

39 (11)a certified teacher of deaf and hard of hearing students
40 whose expertise is in American Sign Language and English
41 language assessment; and

42 (12)a speech pathologist from spoken English, with or without
43 the use of visual supplements.

44 c. Appointments to the working group shall be made within 30
45 days after the effective date of this act. Vacancies in the
46 membership of the working group shall be filled in the same
47 manner as the original appointments were made.

S2045 TURNER, RUIZ

3

1 2. a. It shall be the duty of the working group to examine,
2 research, and make recommendations to the Department of
3 Education for:

4 (1) the development of a resource guide for parents to monitor
5 and track deaf and hard of hearing children's expressive and
6 receptive language acquisition and developmental stages toward
7 English literacy; and

8 (2) the selection of one or more early intervention assessments
9 to be used by educators to assess the language and literacy
10 development of deaf and hard of hearing children.

11 b. The working group shall issue a report, including its
12 recommendations, no later than one year after the working group
13 organizes.

14

15 3. a. The Department of Education, in an effort to assist deaf
16 and hard of hearing children in becoming linguistically ready for
17 kindergarten and in consultation with the Department of Health,
18 shall develop a parent resource guide for use by parents of deaf and
19 hard of hearing children.

20 The parent resource guide shall:

21 (1) help parents monitor and track deaf and hard of hearing
22 children's expressive and receptive language acquisition and
23 developmental stages toward English literacy by presenting
24 language developmental milestones in terms of typical development
25 of all children, by age range;

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

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

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

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

38 (6) include a statement that a parent may bring the parent
39 resource to a child study team meeting for purposes of sharing
40 observations about the child's development.

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

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

46

47 4. a. The Department of Education shall, after consideration
48 of the recommendations provided by the working group established

1 pursuant to section 1 of this act, select one or more early
2 intervention assessments to be used by educators to assess the
3 language and literacy development of deaf and hard of hearing
4 children. The selected assessments shall track the development of
5 deaf and hard of hearing children's expressive and receptive
6 language acquisition and developmental stages toward English
7 literacy, and shall be appropriate for the assessment of children
8 from birth to five years of age.

9 b. The department shall disseminate the assessments selected
10 pursuant to this section to school districts, and shall provide
11 materials and training on their use.

12
13 5. The Department of Education shall annually collect and
14 publicly report data on the language acquisition and developmental
15 progress of children from age two to age five who are deaf or hard
16 of hearing.

17
18 6. The Early Intervention Program in the Department of
19 Health, established pursuant to section 2 of P.L.1993, c.309
20 (C.26:1A-36.7), shall annually collect and publicly report data on
21 the language acquisition and developmental progress of infants and
22 toddlers from birth to age two who are deaf or hard of hearing.

23
24 7. This act shall take effect immediately and the working group
25 shall expire on the 30th day after the submission of its report.

26
27
28 STATEMENT

29
30 This bill establishes in the Department of Education a Working
31 Group on Deaf Education for the purpose of making
32 recommendations on issues related to the early linguistic
33 development of children who are deaf or hard of hearing. The
34 working group will consist of 12 members appointed by the
35 Commissioner of Education. It will be the duty of the working
36 group to examine, research, and make recommendations to the
37 Department of Education for:

38 (1) the development of a parent resource guide for parents to
39 monitor and track deaf and hard of hearing children's expressive
40 and receptive language acquisition and developmental stages
41 toward English literacy; and

42 (2) the selection of one or more early intervention assessments
43 to be used by educators to assess the language and literacy
44 development of deaf and hard of hearing children.

45 Under the bill, the working group is required to issue a report,
46 including its recommendations, no later than one year after the
47 working group organizes.

1 The bill also directs the Department of Education, in consultation
2 with the Department of Health, to develop a parent resource guide
3 for use by parents of deaf and hard of hearing children. The parent
4 resource guide will:

5 (1) help parents monitor and track deaf and hard of hearing
6 language acquisition;

7 (2) be appropriate for use, in both content and administration,
8 with deaf and hard of hearing children from birth to age five,

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

10 (4) be aligned to existing instruments used by school districts to
11 assess the development of children with disabilities;

12 (5) include a statement that the parent resource is not a formal
13 assessment of language and literacy development; and

14 (6) include a statement that a parent may bring the parent
15 resource guide to a child study team meeting for purposes of
16 sharing observations about the child's development.

17 The department is directed to incorporate the recommendations
18 provided by the working group into the parent resource guide. The
19 department must make the parent resource guide publicly available
20 on its website.

21 The bill also directs the department to, after consideration of the
22 recommendations provided by the working group, select one or
23 more early intervention assessments to be used by educators to
24 assess the language and literacy development of deaf and hard of
25 hearing children. The bill directs the department to disseminate the
26 selected assessments to school districts, and provide materials and
27 training on their use.

28 Finally, the bill directs the Department of Education to annually
29 collect and publicly report data on the language acquisition and
30 developmental progress of children from age two to age five who
31 are deaf or hard of hearing and the Early Intervention Program in
32 the Department of Health to annually collect and publicly report
33 such data for infants and toddlers from birth to age two.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[Third Reprint]

SENATE, No. 2045

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 13, 2019

The Assembly Appropriations Committee reports favorably and with committee amendments Senate Bill No. 2045 (3R).

As amended, this bill, establishes in the Department of Education a Working Group on Deaf Education for the purpose of making recommendations on issues related to the early linguistic development of children who are deaf or hard of hearing.

The working group consists of 15 members appointed by the Commissioner of Education. It will be the duty of the working group to examine, research, and make recommendations to the Department of Education for:

(1) the development of a parent resource guide for parents to monitor and track deaf and hard of hearing children's expressive and receptive language acquisition and developmental stages toward English literacy; and

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

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

Under the bill, the working group is required to issue a report, including its recommendations, no later than one year after the working group organizes.

The bill also directs the Department of Education, in consultation with the Department of Health, to develop a parent resource guide for use by parents of deaf and hard of hearing children. The parent resource guide will:

(1) help parents monitor and track deaf and hard of hearing children's language acquisition;

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

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

(4) be aligned to existing instruments used by school districts to assess the development of children with disabilities;

(5) include a statement that the parent resource guide is not a formal assessment of language and literacy development; and

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

The department is directed to incorporate the recommendations provided by the working group into the parent resource guide. The department must make the parent resource guide publicly available on its website.

The bill also directs the department in consultation with the Department of Health, after consideration of the recommendations provided by the working group, to develop guidance regarding early intervention assessments to assess the language and literacy development of deaf and hard of hearing children. The bill directs the department to disseminate the guidance to school districts,

Finally, the bill directs the Department of Education and the Early Intervention Program in the Department of Health to implement the mother's developed by the working group to annually collect and publicly report data on the language acquisition and developmental progress of children from age birth to age five who are deaf or hard of hearing. As amended and reported, this bill is identical to Assembly Bill No. 1893 (1R), as amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to replace certain references to "spoken English" with "Listening and Spoken Language" and require that the one of the members of the Working Group on Deaf Education be a speech pathologist with expertise in Listening and Spoken Language for children who are deaf and hard of hearing.

FISCAL IMPACT:

The Office of Legislative Services (OLS) concludes that the bill will lead to an indeterminate increase in State expenditures by the Department of Education (DOE) and the Department of Health (DOH). This bill will result in an indeterminate increase in State expenditures to support the efforts of the Working Group on Deaf Education established in the Department of Education, the development of the parent resource guide by the department, and the dissemination to school districts of the selected early intervention assessments and the provision of materials and training on their use. Both the Department of Education and the Department of Health will incur costs associated with the annual collection and public reporting of data on the language acquisition and developmental progress of children between birth and five years, as applicable, who are deaf or hard of hearing.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2045

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 14, 2018

The Senate Education Committee favorably reports Senate Bill No. 2045 with committee amendments.

As amended, this bill establishes in the Department of Education a Working Group on Deaf Education for the purpose of making recommendations on issues related to the early linguistic development of children who are deaf or hard of hearing. The working group will consist of 12 members appointed by the Commissioner of Education. It will be the duty of the working group to examine, research, and make recommendations to the Department of Education for:

(1) the development of a parent resource guide for parents to monitor and track deaf and hard of hearing children's expressive and receptive language acquisition and developmental stages toward English literacy; and

(2) the selection of one or more early intervention assessments to be used by educators to assess the language and literacy development of deaf and hard of hearing children.

Under the bill, the working group is required to issue a report, including its recommendations, no later than one year after the working group organizes.

The bill also directs the Department of Education, in consultation with the Department of Health, to develop a parent resource guide for use by parents of deaf and hard of hearing children. The parent resource guide will:

(1) help parents monitor and track deaf and hard of hearing language acquisition;

(2) be appropriate for use, in both content and administration, with deaf and hard of hearing children from birth to age five,

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

(4) be aligned to existing instruments used by school districts to assess the development of children with disabilities;

(5) include a statement that the parent resource guide is not a formal assessment of language and literacy development; and

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

The department is directed to incorporate the recommendations provided by the working group into the parent resource guide. The department must make the parent resource guide publicly available on its website.

The bill also directs the department to, after consideration of the recommendations provided by the working group, select one or more early intervention assessments to be used by educators to assess the language and literacy development of deaf and hard of hearing children. The bill directs the department to disseminate the selected assessments to school districts, and provide materials and training on their use.

Finally, the bill directs the Department of Education to annually collect and publicly report data on the language acquisition and developmental progress of children from age two to age five who are deaf or hard of hearing and the Early Intervention Program in the Department of Health to annually collect and publicly report such data for infants and toddlers from birth to age two.

The committee made a technical amendment to the bill to correct a reference to the parent resource guide.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 2045

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 3, 2018

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2045 (1R), with committee amendments.

This bill, as amended, establishes in the Department of Education a Working Group on Deaf Education for the purpose of making recommendations on issues related to the early linguistic development of children who are deaf or hard of hearing.

The working group consists of 15 members appointed by the Commissioner of Education. It will be the duty of the working group to examine, research, and make recommendations to the Department of Education for:

(1) the development of a parent resource guide for parents to monitor and track deaf and hard of hearing children's expressive and receptive language acquisition and developmental stages toward English literacy; and

(2) the selection of one or more early intervention assessments to be used by educators to assess the language and literacy development of deaf and hard of hearing children.

Under the bill, the working group is required to issue a report, including its recommendations, no later than one year after the working group organizes.

The bill also directs the Department of Education, in consultation with the Department of Health, to develop a parent resource guide for use by parents of deaf and hard of hearing children. The parent resource guide will:

(1) help parents monitor and track deaf and hard of hearing children's language acquisition;

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

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

(4) be aligned to existing instruments used by school districts to assess the development of children with disabilities;

(5) include a statement that the parent resource guide is not a formal assessment of language and literacy development; and

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

The department is directed to incorporate the recommendations provided by the working group into the parent resource guide. The department must make the parent resource guide publicly available on its website.

The bill also directs the department to, after consideration of the recommendations provided by the working group, select one or more early intervention assessments to be used by educators to assess the language and literacy development of deaf and hard of hearing children. The bill directs the department to disseminate the selected assessments to school districts, and provide materials and training on their use.

Finally, the bill directs the Department of Education to annually collect and publicly report data on the language acquisition and developmental progress of children from age two to age five who are deaf or hard of hearing and the Early Intervention Program in the Department of Health to annually collect and publicly report such data for infants and toddlers from birth to age two.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- Increase the membership of the working group from 12 to 15 members by the addition of a parent of a child who is deaf or hard of hearing who uses only American Sign Language, an expert who researches language outcomes for deaf and hard of hearing children using only American Sign Language, and an audiologist who provides direct services in the classroom including the educational management, verification, and fitting of appropriate amplification;
- Clarify that certain experts who will serve on the working group must hold a master's or doctorate degree;
- Clarify that the early intervention specialist who serves on the working group must be appropriately certified or licensed; and
- Provide that a certified teacher of deaf and hard of hearing students employed at the Marie H. Katzenbach School for the Deaf rather than such a certified teacher employed at a nonpublic school will be appointed as a member of the working group.

FISCAL IMPACT:

The Office of Legislative Services (OLS) concludes that the bill will lead to an indeterminate increase in State expenditures by the Department of Education (DOE) and the Department of Health

(DOH). This bill will result in an indeterminate increase in State expenditures to support the efforts of the Working Group on Deaf Education established in the Department of Education, the development of the parent resource guide by the department, and the dissemination to school districts of the selected early intervention assessments and the provision of materials and training on their use. Both the Department of Education and the Department of Health will incur costs associated with the annual collection and public reporting of data on the language acquisition and developmental progress of children between birth and five years, as applicable, who are deaf or hard of hearing.

STATEMENT TO
[Second Reprint]
SENATE, No. 2045

with Senate Floor Amendments
(Proposed by Senator TURNER)

ADOPTED: DECEMBER 17, 2018

These floor amendments:

- Require the working group to develop methods of evaluation to annually collect and publicly report data on language acquisition and developmental progress of children from birth to age five who are deaf or hard of hearing. The Department of Education and the Early Intervention Program in the Department of Health will implement these methods in their annual collection and reporting of this data; and
- Require the Department of Education to develop guidance regarding early intervention assessments to assess the language and literacy development of deaf and hard of hearing children. The bill as introduced required the department to select one or more assessments to be used by educators to assess the language and literacy development of these children and, in addition, provide materials and training on the use of these assessments to school districts.

LEGISLATIVE FISCAL ESTIMATE

[Third Reprint]

SENATE, No. 2045

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: JANUARY 22, 2019

SUMMARY

- 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.
- Type of Impact:** Indeterminate Increase in State expenditures.
- Agencies Affected:** Department of Education
Department of Health

Office of Legislative Services Estimate

Fiscal Impact	
State Cost	Indeterminate Increase

- The Office of Legislative Services (OLS) concludes that the bill will lead to an indeterminate increase in State expenditures by the Department of Education (DOE) and the Department of Health (DOH).
- This bill will result in an indeterminate increase in State expenditures to support the efforts of the Working Group on Deaf Education established in the Department of Education, the development of the parent resource guide by the department, and the development and dissemination of guidance on early intervention assessments to school districts.
- Both the Department of Education and the Department of Health will incur costs associated with the annual collection and public reporting of data on the language acquisition and developmental progress of children between birth and five years who are deaf or hard of hearing.

BILL DESCRIPTION

The bill establishes in the DOE a 15-member Working Group on Deaf Education for the purpose of making recommendations on issues related to the early linguistic development of children who are deaf or hard of hearing. Specifically, the working group is directed to make

recommendations to the DOE and the DOH in regard to: (1) the development of a parent resource guide for parents to monitor and track deaf and hard of hearing children's expressive and receptive language acquisition and developmental stages towards English literacy; (2) the selection of one or more early intervention assessments to be used by educators to assess the language and literacy development of deaf and hard of hearing children; and (3) the development of methods of evaluation to annually collect and publicly report data on language acquisition and developmental progress of children from birth to age five who are deaf or hard of hearing. The working group will issue a report no later than one year after its organization.

The bill also directs DOE, in consultation with the DOH, to develop a parent resource guide for the parents of deaf and hard of hearing children and to make it publicly available on its website. The bill also directs DOE, in consultation with DOH, to develop and disseminate guidance to school districts on early intervention assessments to assess the language and literacy development of deaf and hard of hearing children.

The bill directs both the DOE and the Early Intervention Program in the DOH to implement the methods developed by the working group to annually collect and publicly report data on the language acquisition and developmental progress of children from birth to age five.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None Received

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the bill will lead to an indeterminate increase in costs for both the DOE and the DOH. The DOE may incur additional costs to support the efforts of the working group, such as the provision of staff, and other miscellaneous requirements. These costs would be nonrecurring as the working group will expire 30 days after the submission of its report.

The DOE will also incur costs in the development of the parent resource guide for use by the parents of deaf and hard of hearing children, based upon the recommendations of the working group. The resource guide will be made publicly available on the department's website.

The DOE is also tasked with developing guidance regarding early intervention assessments to assess the language and literacy development of deaf and hard of hearing children. The department may incur costs associated with the development and dissemination of the guidance to school districts.

Finally, both the DOE and the DOH will be required to implement the methods developed by the working group to annually collect and publicly report data on the language acquisition and developmental progress of children from birth to age five. Each department could incur additional costs associated with the collection and dissemination of this information.

Section: Education

Analyst: William Owen
Assistant Fiscal Analyst

Approved: Frank W. Haines III
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

LEGISLATIVE FISCAL ESTIMATE

[Fourth Reprint]

SENATE, No. 2045

STATE OF NEW JERSEY 218th LEGISLATURE

DATED: JUNE 26, 2019

SUMMARY

- 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.
- Type of Impact:** Indeterminate Increase in State expenditures.
- Agencies Affected:** Department of Education
Department of Health

Office of Legislative Services Estimate

Fiscal Impact	
State Cost	Indeterminate Increase

- The Office of Legislative Services (OLS) concludes that the bill will lead to an indeterminate increase in State expenditures by the Department of Education (DOE) and the Department of Health (DOH).
- This bill will result in an indeterminate increase in State expenditures to support the efforts of the Working Group on Deaf Education established in the Department of Education, the development of the parent resource guide by the department, and the development and dissemination of guidance on early intervention assessments to school districts.
- Both the Department of Education and the Department of Health will incur costs associated with the annual collection and public reporting of data on the language acquisition and developmental progress of children between birth and five years who are deaf or hard of hearing.

BILL DESCRIPTION

The bill establishes in the DOE a 15-member Working Group on Deaf Education for the purpose of making recommendations on issues related to the early linguistic development of

children who are deaf or hard of hearing. Specifically, the working group is directed to make recommendations to the DOE and the DOH in regard to: (1) the development of a parent resource guide for parents to monitor and track deaf and hard of hearing children's expressive and receptive language acquisition and developmental stages towards English literacy; (2) the selection of one or more early intervention assessments to be used by educators to assess the language development of deaf and hard of hearing children; and (3) the development of methods of evaluation to annually collect and publicly report data on language acquisition and developmental progress of children from birth to age five who are deaf or hard of hearing. The working group will issue a report no later than one year after its organization.

The bill also directs DOE, in consultation with the DOH, to develop a parent resource guide for the parents of deaf and hard of hearing children and to make it publicly available on its website. The bill also directs DOE, in consultation with DOH, to develop and disseminate guidance to school districts on early intervention assessments to assess the language and literacy development of deaf and hard of hearing children.

The bill directs both the DOE and the Early Intervention Program in the DOH to implement the methods developed by the working group to annually collect and publicly report data on the language acquisition and developmental progress of children from birth to age five.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None Received

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the bill will lead to an indeterminate increase in costs for both the DOE and the DOH. The DOE may incur additional costs to support the efforts of the working group, such as the provision of staff, and other miscellaneous requirements. These costs would be nonrecurring as the working group will expire 30 days after the submission of its report.

The DOE will also incur costs in the development of the parent resource guide for use by the parents of deaf and hard of hearing children, based upon the recommendations of the working group. The resource guide will be made publicly available on the department's website.

The DOE is also tasked with developing guidance regarding early intervention assessments to assess the language and literacy development of deaf and hard of hearing children. The department may incur costs associated with the development and dissemination of the guidance to school districts.

Finally, both the DOE and the DOH will be required to implement the methods developed by the working group to annually collect and publicly report data on the language acquisition and developmental progress of children from birth to age five. Each department could incur additional costs associated with the collection and dissemination of this information.

Section: Education

Analyst: William Owens
Assistant Fiscal Analyst

Approved: Frank W. Haines III
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 1893

STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

Sponsored by:

Assemblywoman **ELIZABETH MAHER MUOIO**

District 15 (Hunterdon and Mercer)

Assemblywoman **MARLENE CARIDE**

District 36 (Bergen and Passaic)

Assemblyman **DANIEL R. BENSON**

District 14 (Mercer and Middlesex)

Assemblyman **NICHOLAS CHIARAVALLOTI**

District 31 (Hudson)

Assemblyman **RAJ MUKHERJI**

District 33 (Hudson)

Assemblyman **RALPH R. CAPUTO**

District 28 (Essex)

Assemblywoman **MILA M. JASEY**

District 27 (Essex and Morris)

Co-Sponsored by:

Assemblywomen **McKnight, Lampitt, Jones and DiMaso**

SYNOPSIS

Establishes Working Group on Deaf Education and directs DOE to develop parent resource guide and select early intervention assessments for use in identifying language delays in deaf and hard of hearing children.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.

(Sponsorship Updated As Of: 10/19/2018)

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 12 members appointed
14 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) a parent of a child who is deaf or hard of hearing who uses
18 only spoken English, with or without visual supplements;

19 (3) a certified teacher of deaf and hard of hearing students who
20 use the dual languages of American Sign Language and English;

21 (4) a certified teacher of deaf and hard of hearing students
22 employed at a nonpublic school;

23 (5) an expert who researches language outcomes for deaf and
24 hard of hearing children using American Sign Language and
25 English;

26 (6) an expert who researches language outcomes for deaf and
27 hard of hearing children using spoken English, with or without
28 visual supplements;

29 (7) a certified teacher of deaf and hard of hearing students whose
30 expertise is in curriculum and instruction in American Sign
31 Language and English;

32 (8) an advocate for the teaching and use of the dual languages of
33 American Sign Language and English;

34 (9) an advocate for the teaching and use of spoken English, with
35 or without visual supplements;

36 (10) an early intervention specialist who works with deaf and
37 hard of hearing infants and toddlers using the dual languages of
38 American Sign Language and English;

39 (11) a certified teacher of deaf and hard of hearing students
40 whose expertise is in American Sign Language and English
41 language assessment; and

42 (12) a speech pathologist from spoken English, with or without
43 the use of visual supplements.

44 c. Appointments to the working group shall be made within 30
45 days after the effective date of this act. Vacancies in the
46 membership of the working group shall be filled in the same
47 manner as the original appointments were made.

1 2. a. It shall be the duty of the working group to examine,
2 research, and make recommendations to the Department of
3 Education for:

4 (1) the development of a resource guide for parents to monitor
5 and track deaf and hard of hearing children's expressive and
6 receptive language acquisition and developmental stages toward
7 English literacy; and

8 (2) the selection of one or more early intervention assessments to
9 be used by educators to assess the language and literacy
10 development of deaf and hard of hearing children.

11 b. The working group shall issue a report, including its
12 recommendations, no later than one year after the working group
13 organizes.

14

15 3. a. The Department of Education, in an effort to assist deaf
16 and hard of hearing children in becoming linguistically ready for
17 kindergarten and in consultation with the Department of Health,
18 shall develop a parent resource guide for use by parents of deaf and
19 hard of hearing children.

20 The parent resource guide shall:

21 (1) help parents monitor and track deaf and hard of hearing
22 children's expressive and receptive language acquisition and
23 developmental stages toward English literacy by presenting
24 language developmental milestones in terms of typical development
25 of all children, by age range;

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

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

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

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

38 (6) include a statement that a parent may bring the parent
39 resource to a child study team meeting for purposes of sharing
40 observations about the child's development.

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

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

46

47 4. a. The Department of Education shall, after consideration of
48 the recommendations provided by the working group established

1 pursuant to section 1 of this act, select one or more early
2 intervention assessments to be used by educators to assess the
3 language and literacy development of deaf and hard of hearing
4 children. The selected assessments shall track the development of
5 deaf and hard of hearing children's expressive and receptive
6 language acquisition and developmental stages toward English
7 literacy, and shall be appropriate for the assessment of children
8 from birth to five years of age.

9 b. The department shall disseminate the assessments selected
10 pursuant to this section to school districts, and shall provide
11 materials and training on their use.

12

13 5. The Department of Education shall annually collect and
14 publicly report data on the language acquisition and developmental
15 progress of children from age two to age five who are deaf or hard
16 of hearing.

17

18 6. The Early Intervention Program in the Department of
19 Health, established pursuant to section 2 of P.L.1993, c.309
20 (C.26:1A-36.7), shall annually collect and publicly report data on
21 the language acquisition and developmental progress of infants and
22 toddlers from birth to age two who are deaf or hard of hearing.

23

24 7. This act shall take effect immediately and the working group
25 shall expire on the 30th day after the submission of its report.

26

27

28

STATEMENT

29

30 This bill establishes in the Department of Education a Working
31 Group on Deaf Education for the purpose of making
32 recommendations on issues related to the early linguistic
33 development of children who are deaf or hard of hearing. The
34 working group will consist of 12 members appointed by the
35 Commissioner of Education. It will be the duty of the working
36 group to examine, research, and make recommendations to the
37 Department of Education for:

38 (1) the development of a parent resource guide for parents to
39 monitor and track deaf and hard of hearing children's expressive
40 and receptive language acquisition and developmental stages
41 toward English literacy; and

42 (2) the selection of one or more early intervention assessments to
43 be used by educators to assess the language and literacy
44 development of deaf and hard of hearing children.

45 Under the bill, the working group is required to issue a report,
46 including its recommendations, no later than one year after the
47 working group organizes.

1 The bill also directs the Department of Education, in consultation
2 with the Department of Health, to develop a parent resource guide
3 for use by parents of deaf and hard of hearing children. The parent
4 resource guide will:

5 (1) help parents monitor and track deaf and hard of hearing
6 language acquisition;

7 (2) be appropriate for use, in both content and administration,
8 with deaf and hard of hearing children from birth to age five,

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

10 (4) be aligned to existing instruments used by school districts to
11 assess the development of children with disabilities;

12 (5) include a statement that the parent resource is not a formal
13 assessment of language and literacy development; and

14 (6) include a statement that a parent may bring the parent
15 resource guide to a child study team meeting for purposes of
16 sharing observations about the child's development.

17 The department is directed to incorporate the recommendations
18 provided by the working group into the parent resource guide. The
19 department must make the parent resource guide publicly available
20 on its website.

21 The bill also directs the department to, after consideration of the
22 recommendations provided by the working group, select one or
23 more early intervention assessments to be used by educators to
24 assess the language and literacy development of deaf and hard of
25 hearing children. The bill directs the department to disseminate the
26 selected assessments to school districts, and provide materials and
27 training on their use.

28 Finally, the bill directs the Department of Education to annually
29 collect and publicly report data on the language acquisition and
30 developmental progress of children from age two to age five who
31 are deaf or hard of hearing and the Early Intervention Program in
32 the Department of Health to annually collect and publicly report
33 such data for infants and toddlers from birth to age two.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY No. 1893

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 18, 2018

The Assembly Education Committee reports favorably Assembly Bill No. 1893 with committee amendments.

As amended, this bill establishes in the Department of Education a Working Group on Deaf Education for the purpose of making recommendations on issues related to the early linguistic development of children who are deaf or hard of hearing. The working group will consist of 15 members appointed by the Commissioner of Education. It will be the duty of the working group to examine, research, and make recommendations to the Department of Education for:

(1) the development of a parent resource guide for parents to monitor and track deaf and hard of hearing children's expressive and receptive language acquisition and developmental stages toward English literacy; and

(2) the selection of one or more early intervention assessments to be used by educators to assess the language and literacy development of deaf and hard of hearing children.

Under the bill, the working group is required to issue a report, including its recommendations, no later than one year after the working group organizes.

The bill also directs the Department of Education, in consultation with the Department of Health, to develop a parent resource guide for use by parents of deaf and hard of hearing children. The parent resource guide will:

(1) help parents monitor and track deaf and hard of hearing children's language acquisition;

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

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

(4) be aligned to existing instruments used by school districts to assess the development of children with disabilities;

(5) include a statement that the parent resource guide is not a formal assessment of language and literacy development; and

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

The department is directed to incorporate the recommendations provided by the working group into the parent resource guide. The department must make the parent resource guide publicly available on its website.

The bill also directs the department to, after consideration of the recommendations provided by the working group, select one or more early intervention assessments to be used by educators to assess the language and literacy development of deaf and hard of hearing children. The bill directs the department to disseminate the selected assessments to school districts, and provide materials and training on their use.

Finally, the bill directs the Department of Education to annually collect and publicly report data on the language acquisition and developmental progress of children from age two to age five who are deaf or hard of hearing and the Early Intervention Program in the Department of Health to annually collect and publicly report such data for infants and toddlers from birth to age two.

This bill was pre-filed for introduction in the 2018-2019 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- Increase the membership of the working group from 12 to 15 members by the addition of a parent of a child who is deaf or hard of hearing who uses only American Sign Language, an expert who researches language outcomes for deaf and hard of hearing children using only American Sign Language, and an audiologist who provides direct services in the classroom including the educational management, verification, and fitting of appropriate amplification;
- Clarify that the various experts who will serve on the working group must hold a master's or doctorate degree;
- Clarify that the early intervention specialist who serves on the working group must be appropriately certified or licensed;
- Provide that a certified teacher of deaf and hard of hearing students employed at the Marie H. Katzenbach School for the Deaf rather than such a certified teacher employed at a nonpublic school will be appointed as a member of the working group; and
- Make a technical amendment to the bill to correct a reference to the parent resource guide.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1893

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 13, 2019

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 1893 (1R).

As amended, this bill establishes in the Department of Education a Working Group on Deaf Education for the purpose of making recommendations on issues related to the early linguistic development of children who are deaf or hard of hearing.

The working group will consist of 15 members appointed by the Commissioner of Education. It will be the duty of the working group to examine, research, and make recommendations to the Department of Education and the Department of Health for:

(1) the development of a parent resource guide for parents to monitor and track deaf and hard of hearing children's expressive and receptive language acquisition and developmental stages toward English literacy;

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

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

Under the bill, the working group is required to issue a report, including its recommendations, no later than one year after the working group organizes.

The bill also directs the Department of Education, in consultation with the Department of Health, to develop a parent resource guide for use by parents of deaf and hard of hearing children. The parent resource guide will:

(1) help parents monitor and track deaf and hard of hearing children's language acquisition;

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

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

(4) be aligned to existing instruments used by school districts to assess the development of children with disabilities;

(5) include a statement that the parent resource guide is not a formal assessment of language and literacy development; and

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

The department is directed to incorporate the recommendations provided by the working group into the parent resource guide. The department must make the parent resource guide publicly available on its website.

The bill also directs the Department of Education, in consultation with the Department of Health, after consideration of the recommendations provided by the working group, to develop guidance regarding early intervention assessments to assess the language and literacy development of deaf and hard of hearing children. The guidance will include information regarding the development of deaf and hard of hearing children's expressive and receptive language acquisition and the developmental stages toward English literacy of children who are deaf and hard of hearing, and must be appropriate for the assessment of children from birth to five years of age.

Finally, the bill directs the Department of Education and the Early Intervention Program in the Department of Health to implement the methods developed by the working group to annually collect and publicly report data on the language acquisition and developmental progress of children from birth to age five who are deaf or hard of hearing.

As amended and reported by the committee, this bill is identical to Senate Bill No. 2045 (3R), as amended and reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- Provide that the working group recommendations will also be made to the Department of Health;
- Require the working group to develop methods of evaluation to annually collect and publicly report data on language acquisition and developmental progress of children from birth to age five who are deaf or hard of hearing. The Department of Education and the Early Intervention Program in the Department of Health will implement these methods in their annual collection and reporting of data;
- Require the Department of Education, in consultation with the Department of Health, to develop guidance regarding early intervention assessments to assess the language and literacy

development of deaf and hard of hearing children. The bill as introduced required the department to select one or more assessments to be used by educators to assess the language and literacy development of these children and, in addition, provide materials and training on the use of these assessments to school districts;

- Replace certain references to “spoken English” with “Listening and Spoken Language”; and
- Require that the one of the members of the Working Group on Deaf Education be a speech pathologist with expertise in Listening and Spoken Language for children who are deaf and hard of hearing.

FISCAL IMPACT:

The Office of Legislative Services (OLS) concludes that the bill will lead to an indeterminate increase in State expenditures by the Department of Education (DOE) and the Department of Health (DOH). This bill will result in an indeterminate increase in State expenditures to support the efforts of the Working Group on Deaf Education established in the Department of Education, the development of the parent resource guide by the department, and the dissemination to school districts of the selected early intervention assessments and the provision of materials and training on their use. Both the Department of Education and the Department of Health will incur costs associated with the annual collection and public reporting of data on the language acquisition and developmental progress of children between birth and five years, as applicable, who are deaf or hard of hearing.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 1893

**STATE OF NEW JERSEY
218th LEGISLATURE**

DATED: JUNE 20, 2019

SUMMARY

- 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.
- Type of Impact:** Indeterminate Increase in State expenditures.
- Agencies Affected:** Department of Education
Department of Health

Office of Legislative Services Estimate

Fiscal Impact	
State Cost	Indeterminate Increase

- The Office of Legislative Services (OLS) concludes that the bill will lead to an indeterminate increase in State expenditures by the Department of Education (DOE) and the Department of Health (DOH).
- This bill will result in an indeterminate increase in State expenditures to support the efforts of the Working Group on Deaf Education established in the Department of Education, the development of the parent resource guide by the department, and the development and dissemination of guidance on early intervention assessments to school districts.
- Both the DOE and the DOH will incur costs associated with the annual collection and public reporting of data on the language acquisition and developmental progress of children between birth and five years who are deaf or hard of hearing.

BILL DESCRIPTION

The bill establishes in the DOE a 15-member Working Group on Deaf Education for the purpose of making recommendations on issues related to the early linguistic development of

children who are deaf or hard of hearing. Specifically, the working group is directed to make recommendations to the DOE and the DOH in regard to: (1) the development of a parent resource guide for parents to monitor and track deaf and hard of hearing children's expressive and receptive language acquisition and developmental stages towards English literacy; (2) the selection of one or more early intervention assessments to be used by educators to assess the language and literacy development of deaf and hard of hearing children; and (3) the development of methods of evaluation to annually collect and publicly report data on language acquisition and developmental progress of children from birth to age five who are deaf or hard of hearing. The working group will issue a report no later than one year after its organization.

The bill also directs DOE, in consultation with the DOH, to develop a parent resource guide for the parents of deaf and hard of hearing children and to make it publicly available on its website. The bill also directs DOE, in consultation with DOH, to develop and disseminate guidance to school districts on early intervention assessments to assess the language and literacy development of deaf and hard of hearing children.

The bill directs both the DOE and the Early Intervention Program in the DOH to implement the methods developed by the working group to annually collect and publicly report data on the language acquisition and developmental progress of children from birth to age five.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS concludes that the bill will lead to an indeterminate increase in costs for both the DOE and the DOH. The DOE may incur additional costs to support the efforts of the working group, such as the provision of staff, and other miscellaneous requirements. These costs would be nonrecurring as the working group will expire 30 days after the submission of its report.

The DOE will also incur costs in the development of the parent resource guide for use by the parents of deaf and hard of hearing children, based upon the recommendations of the working group. The resource guide will be made publicly available on the department's website.

The DOE is also tasked with developing guidance regarding early intervention assessments to assess the language and literacy development of deaf and hard of hearing children. The department may incur costs associated with the development and dissemination of the guidance to school districts.

Finally, both the DOE and the DOH will be required to implement the methods developed by the working group to annually collect and publicly report data on the language acquisition and developmental progress of children from birth to age five. Each department could incur additional costs associated with the collection and dissemination of this information.

Section: Education

*Analyst: William Owens
Assistant Fiscal Analyst*

*Approved: Frank W. Haines III
Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

Acting Governor Oliver Signs Legislation Assisting Hard of Hearing Community

08/05/2019

TRENTON – Today, Acting Governor Sheila Y. Oliver signed S2044 and S2045 into law, establishing a "Deaf Student's Bill of Rights" and a Working Group on Deaf Education. Additionally, the legislation requires the Department of Education to develop a parent resource guide and for both the Department of Education and Department of Health to collect and report data for children who are deaf or hard of hearing children.

"To ensure that every deaf student in New Jersey acquires the same high quality education as other students, I am proudly signing these two bills today establishing a Deaf Student's Bill of Rights along with other initiatives for research, advocacy, and parental guidance," **said Acting Governor Oliver, who serves as Commissioner of the Department of Community Affairs.** "Governor Murphy and I believe that every child has the ability to excel, no matter what their challenges may be. We will work to help deaf students overcome their challenges by providing the resources and support they need to succeed in the classroom and in life."

"Early identification of hearing loss and timely enrollment in culturally sensitive early intervention services can make a lifetime of difference in the education of a child with hearing loss," **said Acting Health Commissioner Judith M. Persichilli.** "The Department of Health's Early Intervention Program provides infants and toddlers up to age three with an individualized service plan that may include instruction in the use of American Sign Language; speech therapy; and other developmental tools that will help Deaf and hard of hearing students succeed in attaining the highest level language skills throughout their lifetime. The Department of Health works with health care providers to ensure children with later onset hearing loss are identified and collaborates with the Department of Education to ensure children over age 3 receive appropriate services."

"The Deaf Student's Bill of Rights requires that school districts recognize the right of each student who is deaf, hard of hearing or deaf-blind to receive the supports and services necessary for full access to communication and a world-class education," **said Education Commissioner Lamont O. Repollet.** "We're eager to expand upon the collaborations that we've established with stakeholders in this area, and we strive to continually improve the educational programs and services that we offer to children."

"Access to early intervention supports and ongoing services throughout the lives of children who are deaf, hard of hearing, and deaf-blind can make a significant difference by developing strong language and literacy skills that will help them succeed," **said Human Services Commissioner Carole Johnson.** "With these bill signings, New Jersey is making clear that we support building strong futures for deaf, hard of hearing, and deaf-blind children." S2044 creates a "Deaf Student's Bill of Rights requiring schools districts to provide the following:

- Access to appropriate screening and assessment of hearing and vision capabilities and communication and language needs, and the continuation of screening and evaluation services throughout the educational experience;
- Access to individualized and appropriate early intervention to support the acquisition of solid language bases;
- Information to the families of students on placement considerations and available educational options;
- Opportunities to meet and associate with adult role models who are deaf, hard of hearing, or deaf-blind and who utilize varied communication modalities;
- Opportunities to meet and associate with their peers in the school environment and during school-sponsored activities;
- A placement that is best suited to the student's individual needs including, but not limited to, social, emotional, communication, and cultural needs;
- Individual consideration for free, appropriate education across a continuum of placement options required by law;
- Full support services provided by qualified and certified professionals in their educational settings;
- Information to families from appropriately qualified and certified professionals on the medical, ethical, cultural, and linguistic issues of the deaf community;
- Access to mental health services and supporting services from qualified and certified providers fluent in the student's primary mode of communication, including American Sign Language.

Primary sponsors of the bill include Senators Shirley K. Turner, M. Teresa Ruiz, and Assemblymembers Daniel Benson, Annette Quijano, and Pamela Lampitt.

“Often times hearing parents are at a loss for how to best address their deaf child’s disability,” **said Senator Shirley Turner**. “Providing them with a resource guide will help parents better grasp the needs of their children and the services available to them. It will also help introduce parents to the deaf community which can provide support and guidance for the children and their loved ones.”

“Our schools must provide children with environments in which they can grow and thrive,” **said Senator M. Teresa Ruiz**. “It is extremely important that our classrooms are meeting the needs of all students. This legislation will help ensure that our districts are providing deaf and hard of hearing students with the tools and resources necessary for them to succeed.”

“With this measure, no longer will we treat deaf or hard of hearing children as second class students or with expectations separate from that which we would have for any of our children,” **said Assemblyman Dan Benson**.

“Around 96 percent of children with hearing loss are born to parents with intact hearing, who may initially know little about deafness or sign language,” **said Assemblywoman Annette Quijano**. “This Bill of Rights will give parents a sense of both knowledge and security when it comes to the education their children should be receiving at school.”

“Too often, our schools do not update their classrooms and lack the appropriate resources to support the communication needs of deaf or hard of hearing students,” **said Assemblywoman Pam Lampitt**. “As a result, these students fall behind not only in language development but other academic areas. This bill would prioritize the language needs of deaf or hard of hearing children in order for them to grow both academically and socially at school.”

S2045 establishes a Working Group on Deaf Education, within the Department of Education, which will make recommendations on issues related to the early linguistic development of children who are deaf or hard of hearing. The working group will be required to issue a report including recommendations one year after the group is organized.

The bill further requires the Department of Education to work with the Department of Health to create a parent resource guide for parents of deaf and hard of hearing children. In addition, the legislation requires both DOE and DOH to develop guidance on early intervention assessments and to communicate this guidance to school districts. The legislation also requires the DOE and DOH to collect and publicly report data on the language acquisition and developmental progress of children up to age five who are deaf or hard of hearing, on an annual basis.

Primary sponsors of this bill include Senators Shirley K. Turner and Teresa M. Ruiz, and Assemblymembers Daniel Benson, Nicholas Chiaravalloti, Raj Mukherji, Ralph Caputo, and Mila Jasey.

“These laws will help both parents and students to ensure they are receiving the best education and given the best opportunities using multi-modal means of communication at school,” **said Assemblyman Dan Benson**.

“All our children are unique. Parents with children who are deaf or hard of hearing face additional obstacles,” **said Assemblyman Nicholas Chiaravalloti**. “This law will provide parents the support needed so they can make informed decisions about the medical, linguistic, and educational management of their child.”

“The hardships that parents of deaf or hard of hearing children go through are unique,” **said Assemblyman Raj Mukherji**. “Providing a parent resource guide that will be made with recommendations from parents who are personally putting their deaf or hard of hearing children through school will undoubtedly provide support that may be hard to find for other parents.”

“This law provides parents of deaf or hearing impaired children with vital and relevant information so they can advocate for their children and ensure they meet their potential despite their challenges,” **said Assemblyman Ralph Caputo**.

“The importance of reliable and up-to-date support for parents’ decisions is critical to the overall well-being of their child,” **said Assemblywoman Mila Jasey**. “This law will provide both support and comfort for parents with a common interest -- the well-being of their children and their education.”

“These bills are rooted in a fundamental belief that every child deserves every opportunity – a fundamental belief that guides so much of the work of this Administration and this Legislature,” **said Paul Aronsohn, Ombudsman for Individuals with Intellectual or Developmental Disabilities and Their Families**. “In that spirit, these bills not only recognize the challenges and opportunities faced by many of our children and their families; they also provide a way forward.”

The Deaf, DeafBlind, and Hard of Hearing constituents of New Jersey are most grateful for this passage of the Deaf Child Bill of Rights as it will promote the importance of communication equity for all deaf and hard of hearing children in the state of New Jersey in all programs serving throughout the state,” **said Michelle Cline, Executive Director of the Walden School at The Learning Center for the Deaf.** “New Jersey has become the first state to support a full comprehensive program assuring that all Deaf, DeafBlind, and hard of hearing students be given equal opportunities to obtain equitable education in a manner that would best help them thrive and communicate with teachers and students in all phases of school day. Again special acknowledgement go to Senator Turner and Assemblyman Benson for their tireless work on behalf of the Deaf, DeafBlind and Hard of Hearing community.”

We can agree that ALL babies deserve accessible goals, dreams and family relationships, but often exposure to a fully accessible language is overlooked. Deaf and hard of hearing children across the country are therefore put at a disadvantage before they even enter preschool,” **said Amy T. Anderson, 2018 New Jersey Teacher of the Year.** “Maya Angelou writes, “I did then what I knew how to do. Now that I know better, I do better. As the 2018 NJ Teacher of the Year, I am so proud and grateful to our NJ legislators for their commitment to DO BETTER for all deaf children in New Jersey because every single child deserves the opportunity to succeed in life, not as a version of everyone else but as themselves.”

