

House Bill 2133

Sponsored by Representative SANCHEZ; Representatives LEVY B, NGUYEN D, PHAM H, Senators CAMPOS, FREDERICK, GELSER BLOUIN, GOLDEN, MANNING JR, PATTERSON (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: This Act makes a program to assess and track the language development milestones of kids that are deaf or hard of hearing. (Flesch Readability Score: 65.2).

Directs the Superintendent of Public Instruction to establish a program to assess, monitor and track the language developmental milestones of children who are deaf or hard of hearing. Establishes an advisory committee to advise on the creation of the program.

Directs the Department of Education to publish an annual report on language and literacy developmental milestones of children who are deaf or hard of hearing.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to children with hearing impairments; and prescribing an effective date.

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

4 **SECTION 1. Sections 2, 3 and 5 of this 2025 Act are added to and made a part of ORS**
5 **chapter 343.**

6 **SECTION 2. (1) As used in this section, "English" includes English literacy, spoken**
7 **English, signing exact English and morphemic system of signs, CASE, cued speech and any**
8 **other visual supplements.**

9 **(2) In accordance with rules of the State Board of Education, the Superintendent of**
10 **Public Instruction shall establish a program to assess, monitor and track the language de-**
11 **velopmental milestones of children who are deaf or hard of hearing from birth through the**
12 **age of eight. Developmental milestones must be established for children who communicate**
13 **in American Sign Language and English.**

14 **(3) The program shall provide annual language assessment to each child who is deaf or**
15 **hard of hearing who is under nine years of age. Language assessments shall be provided to**
16 **a child by:**

17 **(a) Early intervention services, from birth until three years of age;**

18 **(b) Early special education, from three years of age until the age of eligibility for**
19 **kindergarten; and**

20 **(c) By the school district in which the child is enrolled, once the child is enrolled in**
21 **kindergarten.**

22 **(4) The Superintendent of Public Instruction may convene an advisory council as neces-**
23 **sary to advise the superintendent on the development and implementation of the program**
24 **established under this section.**

25 **SECTION 3. (1) Notwithstanding section 2 (4) of this 2025 Act, an advisory committee is**
26 **established to advise the Superintendent of Public Instruction on the development and im-**
27 **plementation of the program established under section 2 of this 2025 Act.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **(2) The superintendent shall appoint the following members of the committee:**

2 **(a) One member to represent the Oregon School for the Deaf.**

3 **(b) One member to represent the Department of Early Learning and Care.**

4 **(c) One member to represent the State Interagency Coordinating Council.**

5 **(d) One member to represent early childhood special education and early intervention**
6 **services.**

7 **(e) One member who is a licensed teacher of students who are deaf or hard of hearing**
8 **who uses both American Sign Language and English during instruction.**

9 **(f) One member who is a licensed teacher of students who are deaf or hard of hearing**
10 **who uses spoken English with or without visual supplements during instruction.**

11 **(g) One member who is a licensed teacher of students who are deaf or hard of hearing**
12 **who has expertise in curriculum development and instruction of American Sign Language**
13 **and English.**

14 **(h) One member who is a licensed teacher of students who are deaf or hard of hearing**
15 **who has expertise in assessing language development in both American Sign Language and**
16 **English.**

17 **(i) One member who is a speech-language pathologist who has experience working with**
18 **children from birth through the age of eight.**

19 **(j) One member who is a professional with a linguistics background who conducts re-**
20 **search on language outcomes of children who are deaf or hard of hearing and use American**
21 **Sign Language and English.**

22 **(k) One member who is a parent of a child who is deaf or hard of hearing and who uses**
23 **both American Sign Language and English.**

24 **(L) One member who is a parent of a child who is deaf or hard of hearing and who uses**
25 **spoken English with or without visual supplements.**

26 **(m) One member who is knowledgeable about teaching and using both American Sign**
27 **Language and English in the education of children who are deaf and hard of hearing.**

28 **(3) The advisory committee shall elect one of its members to serve as chairperson and**
29 **another to serve as vice chairperson, for the terms and with the duties and powers necessary**
30 **for the performance of the functions of such offices as the advisory committee determines.**

31 **(4) The advisory committee shall meet at times and places specified by the chairperson**
32 **or by a majority of the members of the advisory committee.**

33 **(5) A majority of the members of the advisory committee constitutes a quorum.**

34 **(6) If there is a vacancy for any cause, the superintendent shall appoint a member to fill**
35 **the vacancy.**

36 **(7) The advisory committee shall develop specific action plans and make recommen-**
37 **dations necessary to fully implement the program established under section 2 of this 2025**
38 **Act. In carrying out its duties, the advisory committee shall:**

39 **(a) Solicit input from professionals trained in the language development and education**
40 **of children who are deaf or hard of hearing on the selection of specific language develop-**
41 **mental milestones;**

42 **(b) Review and recommend the use of existing and available language assessments for**
43 **children who are deaf or hard of hearing;**

44 **(c) Identify and recommend qualifications for language professionals with knowledge of**
45 **the use of evidence-based, best practices in English and American Sign Language who can**

1 be available to advocate at individualized family service plan or individualized education
2 program meetings;

3 (d) Identify qualifications for language assessment evaluators with knowledge on the use
4 of evidence-based, best practices with children who are deaf or hard of hearing and the re-
5 sources for locating such evaluators; and

6 (e) Identify procedures and methods for communicating information on language acqui-
7 sition, assessment results, milestones, assessment tools used and progress of the child to the
8 parent or legal guardian of the child, teachers and other professionals involved in the early
9 intervention and education of the child.

10 (8) The specific action plans and recommendations developed by the advisory committee
11 shall include, but need not be limited to, plans and recommendations for:

12 (a) Language assessments that include data collection and timely tracking of the child's
13 development so as to provide information about the child's receptive and expressive language
14 compared to the child's linguistically age-appropriate peers who are not deaf or hard of
15 hearing;

16 (b) Language assessments conducted in accordance with standardized norms and
17 timelines in order to monitor and track language developmental milestones in receptive, ex-
18 pressive, social and pragmatic language acquisition and developmental stages to show
19 progress in American Sign Language literacy, English literacy or both;

20 (c) Language assessments delivered in the child's mode of communication, which have
21 been validated for the specific purposes for which each assessment is used and appropriately
22 normed;

23 (d) Language assessments administered by individuals who are proficient in American
24 Sign Language for American Sign Language assessments and English for English assess-
25 ments;

26 (e) Reporting of assessment results to the parent or legal guardian of the child and the
27 applicable agency;

28 (f) Reporting of assessment results on an aggregated basis to the committees or interim
29 committees of the Legislative Assembly related to education; and

30 (g) Reporting of assessment results to the members of the child's individualized family
31 service plan or individualized education program team, which may be used, in addition to the
32 assessment required by federal law, by the child's individualized family service plan or indi-
33 vidualized education program team to track the child's progress and to establish or modify
34 the individualized family service plan or individualized education program.

35 (9) The advisory committee shall develop final action plans and recommendations de-
36 scribed in subsection (8) of this section no later than July 1, 2027.

37 **SECTION 4.** Section 3 of this 2025 Act is repealed on January 2, 2028.

38 **SECTION 5.** No later than December 15 of each year, the Department of Education shall
39 publish a report that is specific to language and literacy developmental milestones of children
40 who are deaf or hard of hearing for each age from birth through the age of eight, relative
41 to such children's peers who are not deaf or hard of hearing. The report shall be based on
42 existing data reported in compliance with the federally required state performance plan on
43 pupils with disabilities. The department shall publish the report on the department's website.

44 **SECTION 6.** The Department of Education shall first publish the report required by sec-
45 tion 5 of this 2025 Act no later than December 15, 2028.

1 **SECTION 7.** This 2025 Act takes effect on the 91st day after the date on which the 2025
2 regular session of the Eighty-third Legislative Assembly adjourns sine die.
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