

HOUSE BILL NO. 354

INTRODUCED BY M. CAFERRO, LEWIS

A BILL FOR AN ACT ENTITLED: "AN ACT HELPING ENSURE EQUAL ACCESS TO FREE APPROPRIATE PUBLIC EDUCATION FOR DEAF AND HARD OF HEARING CHILDREN; REQUIRING THE BOARD OF PUBLIC EDUCATION TO ESTABLISH STANDARDS FOR SIGN LANGUAGE INTERPRETERS AND PERSONNEL WHO PROVIDE DIRECT INSTRUCTION USING SIGN LANGUAGE; REQUIRING A SCHOOL DISTRICT TO COMPLY WITH THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT AND TO HAVE PERSONNEL WITH SPECIFIED QUALIFICATIONS HELP DESIGN THE INDIVIDUALIZED EDUCATION PROGRAM OF A STUDENT WHOSE PRIMARY DISABILITY IS LISTED AS DEAF OR HARD OF HEARING; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, nationally, the majority of deaf and hard of hearing students are educated in their local school districts; and

WHEREAS, as stated in "Toward Equality", a report by the Commission on the Education of the Deaf, between the ages of 8 and 18, deaf and hard of hearing children go from a 1.3 grade reading level to a 2.8 grade reading level, representing only a 1 1/2 year gain in reading skills over a 10-year period; and

WHEREAS, 30% of deaf and hard of hearing children leave school functionally illiterate; and

WHEREAS, only 8% of deaf and hard of hearing children graduate from college; and

WHEREAS, approximately 33% of the deaf population rely on government assistance; and

WHEREAS, most school districts have no standards for signing skills; and

WHEREAS, as documented in "Skill Levels of Educational Interpreters Working in Public Schools", a report by the renowned researchers Schick and Williams, many deaf children receive an interpretation of classroom discourse that might inadequately represent the information being communicated, perhaps reflecting the facts that educational interpreting is still a relatively new discipline and that many school districts are unaware of the type of training and skills that are needed to serve as an educational interpreter; and

WHEREAS, there are approximately 200 deaf and hard of hearing students in Montana's public schools according to the "Special Education Report to the 2005 Montana Legislature".

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Individualized education programs for deaf or hard of hearing students. Individualized education programs for students with a primary disability listed as deaf or hard of hearing must be developed in accordance with ~~20 U.S.C. 1414 and 34 CFR 300.340 through 300.350~~ THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT, 20 U.S.C. 1400, ET SEQ. Evaluation teams that determine student eligibility for special education services and individualized education program teams shall consider recommendations from a person who is:

(1) an employee of the Montana school for the deaf and blind who has successfully completed a course of study as a teacher of the deaf from an accredited college or university OR WHO HAS A COMBINATION OF EDUCATION AND EXPERIENCE and who has been assigned responsibilities to provide technical assistance to schools for the provision of services for children who are deaf or hard of hearing; or

(2) a public school employee who has successfully completed a course of study as a teacher of the deaf from an accredited college or university.

NEW SECTION. Section 2. Personnel training and supervision. The board OF PUBLIC EDUCATION shall establish standards to ensure that sign language interpreters and personnel who provide direct instruction using sign language are appropriately trained and supervised.

NEW SECTION. Section 3. Appropriation. There is appropriated from the general fund \$341,495 in each fiscal year to the Montana school for the deaf and the blind for hiring six individuals who have successfully completed a course of study as a teacher of the deaf from an accredited college or university OR WHO HAVE A COMBINATION OF EDUCATION AND EXPERIENCE to provide outreach services throughout the state.

NEW SECTION. Section 4. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 20, chapter 7, part 4, and the provisions of Title 20, chapter 7, part 4, apply to [sections 1 and 2].

NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2007.

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