

SENATE BILL No. 1143

October 20, 2016, Introduced by Senators WARREN, BRANDENBURG, ROBERTSON, HOPGOOD, KNOLLENBERG, KNEZEK, O'BRIEN, ZORN, PAVLOV, GREEN, ANANICH, BIEDA, GREGORY and HERTEL and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1705a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1705A. (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED
2 AS THE "DEAF, DEAFBLIND, AND HARD-OF-HEARING CHILDREN'S EDUCATIONAL
3 BILL OF RIGHTS LAW".

4 (2) TO ENSURE THAT EVERY DEAF, DEAFBLIND, OR HARD-OF-HEARING
5 CHILD HAS THE SAME OPPORTUNITY AS ANY OTHER CHILD IN THIS STATE TO
6 ACHIEVE HIS OR HER EDUCATIONAL GROWTH POTENTIAL AND TO BECOME A
7 FULLY PARTICIPATORY MEMBER OF SOCIETY, THE DEPARTMENT SHALL PROMOTE
8 COMMUNICATION- AND LANGUAGE-DRIVEN PRACTICES, POLICIES, SERVICES,
9 AND PROGRAMS IN ORDER TO PROVIDE DEAF, DEAFBLIND, AND HARD-OF-

1 HEARING CHILDREN THE FOLLOWING RESOURCES AND EXPERIENCES:

2 (A) QUALITY, ONGOING, AND FLUID COMMUNICATION IN THE CLASSROOM
3 AND AT HOME.

4 (B) AN EDUCATIONAL ENVIRONMENT THAT OFFERS SERVICES BASED ON A
5 CHILD'S UNIQUE COMMUNICATION, LANGUAGE, AND EDUCATIONAL NEEDS,
6 CONSISTENT WITH SECTION 1414 OF THE INDIVIDUALS WITH DISABILITIES
7 EDUCATION ACT, 20 USC 1414.

8 (C) TEACHERS, ADMINISTRATORS, AND PROGRAM OR SERVICE PROVIDERS
9 WHO UNDERSTAND THE INDIVIDUAL EXPERIENCES OF CHILDREN WHO ARE DEAF,
10 DEAFBLIND, OR HARD OF HEARING AND HAVE TRAINING THAT FACILITATES
11 SPONTANEOUS AND FLUID COMMUNICATION WITH THOSE CHILDREN.

12 (D) AN EDUCATIONAL ENVIRONMENT IN WHICH THERE ARE SUFFICIENT
13 AGE-APPROPRIATE PEERS AND ADULTS PRESENT TO SPONTANEOUSLY AND
14 FLUIDLY INTERACT WITH A DEAF, DEAFBLIND, OR HARD-OF-HEARING CHILD.

15 (E) EXPOSURE TO DEAF, DEAFBLIND, OR HARD-OF-HEARING ROLE
16 MODELS.

17 (F) DIRECT AND APPROPRIATE ACCESS TO ALL ASPECTS OF THE
18 EDUCATION EXPERIENCE, INCLUDING, BUT NOT LIMITED TO, RECESS, LUNCH,
19 EXTRACURRICULAR ACTIVITIES, AND OTHER SOCIAL OR ATHLETIC
20 ACTIVITIES.

21 (G) PROGRAMS FOCUSED ON TRANSITION PLANNING, AS DESCRIBED
22 UNDER SECTION 1414 OF THE INDIVIDUALS WITH DISABILITIES EDUCATION
23 ACT, 20 USC 1414.

24 (H) RESOURCES THAT PROVIDE A DEAF, DEAFBLIND, OR HARD-OF-
25 HEARING CHILD'S FAMILY WITH ACCURATE AND COMPLETE INFORMATION
26 REGARDING THE CHILD'S EDUCATIONAL, LANGUAGE, AND COMMUNICATION
27 NEEDS AND AVAILABLE PROGRAM OPTIONS AND WITH ACCESS TO SUPPORT AND

1 ADVOCACY SERVICES FROM PUBLIC AND PRIVATE AGENCIES, DEPARTMENTS,
2 AND INSTITUTIONS, SUCH AS THE MICHIGAN SCHOOL FOR THE DEAF, THAT
3 ARE KNOWLEDGEABLE ABOUT HEARING LOSS AND THE NEEDS OF CHILDREN WHO
4 ARE DEAF, DEAFBLIND, OR HARD OF HEARING.

5 (3) THE DEPARTMENT SHALL DEVELOP OR ADOPT AND MAKE AVAILABLE
6 TO SCHOOL DISTRICTS, PUBLIC SCHOOL ACADEMIES, AND INTERMEDIATE
7 SCHOOL DISTRICTS A MODEL WORKSHEET DETAILING A VARIETY OF
8 COMMUNICATION CONSIDERATIONS, CONSISTENT WITH 34 CFR
9 300.324(A)(2)(IV), FOR THE PURPOSE OF ENHANCING THE DEVELOPMENT OF
10 DEAF, DEAFBLIND, OR HARD-OF-HEARING CHILDREN'S INDIVIDUALIZED
11 EDUCATIONAL PROGRAMS.

12 (4) A STATE AGENCY, INSTITUTION, OR DEPARTMENT INVOLVED IN
13 EARLY INTERVENTION AND EARLY CHILDHOOD AND K-12 EDUCATION OF DEAF,
14 DEAFBLIND, OR HARD-OF-HEARING CHILDREN IS ENCOURAGED TO DEVELOP
15 SPECIFIC GUIDELINES ESTABLISHING HOW THAT STATE AGENCY,
16 INSTITUTION, OR DEPARTMENT IS ABLE TO CONTRIBUTE TO THE FOLLOWING
17 OBJECTIVES:

18 (A) PROVIDING EVERY DEAF, DEAFBLIND, AND HARD-OF-HEARING CHILD
19 AN EDUCATIONAL ENVIRONMENT THAT MEETS THE CHILD'S LANGUAGE AND
20 COMMUNICATION NEEDS AND INCLUDES EARLY, CONTINUOUS, AND QUALITY
21 ACCESS TO PLANNED AND INCIDENTAL LANGUAGE AND COMMUNICATION
22 OPPORTUNITIES.

23 (B) IMPLEMENTING PRACTICES, POLICIES, SERVICES, AND PROGRAMS
24 THAT ARE ALIGNED WITH THE DEPARTMENT'S OBLIGATIONS UNDER SUBSECTION
25 (2).

26 (5) AS USED IN THIS SECTION, "INDIVIDUALIZED EDUCATIONAL
27 PROGRAM" MEANS THAT TERM AS DEFINED IN SECTION 1414 OF THE

1 **INDIVIDUALS WITH DISABILITIES EDUCATION ACT, 20 USC 1414.**

2 Enacting section 1. This amendatory act takes effect 90 days
3 after the date it is enacted into law.