

1 AN ACT regarding deaf and hard of hearing children.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Bill of Rights for Deaf and Hard of Hearing Children Act.

6 Section 5. Findings. In order to ensure that children
7 who are deaf or hard of hearing have the same rights and
8 potential to become independent and self-actualizing as
9 children who are not deaf or hard of hearing and consistent
10 with the Individuals with Disabilities Education Act at 20
11 U.S.C. 1414(d)(3)(B)(iv), the Bill of Rights for Deaf and
12 Hard of Hearing Children is established.

13 Section 10. Definition. "Communication mode or
14 language" means the individual child's communication mode or
15 language, whether oral, signing, or a combination of oral and
16 signing modes including but not limited to:

- 17 (1) American Sign Language.
- 18 (2) English-based manual or sign systems.
- 19 (3) Oral, Aural or Speech-based training.

20 Section 15. Education. It is essential for the
21 well-being and growth of deaf and hard of hearing children
22 that educational programs recognize the unique nature of
23 deafness and ensure that all deaf and hard of hearing
24 children have appropriate, ongoing, functionally equivalent,
25 and fully accessible educational opportunities. It is
26 essential that deaf and hard of hearing children, like all
27 children, have an education in which their unique
28 communication mode or language is respected and utilized to
29 develop literacy and writing skills to a level that is

1 equivalent to their hearing peers.

2 Section 20. Essentials for deaf and hard of hearing
3 children. The General Assembly recognizes that it is
4 essential for the educational and emotional growth of
5 children who are deaf and hard of hearing to have:

6 (1) Early identification services which identify
7 children with hearing losses as early in life as possible,
8 result in prompt referrals to informational resources linking
9 children and parents to appropriate services, and include
10 identification of communication mode or language and
11 communication proficiency.

12 (2) Early intervention services provided by
13 professionals who are trained and certified in the field of
14 deaf and hard of hearing and who are proficient in the
15 communication mode or language used by the children.

16 (3) Educational placement from early childhood through
17 high school within programs which recognize the unique nature
18 of deafness and which are appropriate to the individual
19 student's needs, including but not limited to social,
20 emotional, cultural, age, hearing loss, academic level,
21 communication mode or language, style of learning,
22 motivational level, and family support.

23 (4) Educational programs in which teachers,
24 interpreters, early intervention specialists, diagnosticians,
25 supervisors, and others involved in the educational process
26 understand the unique nature of deafness, are trained and
27 certified in the field, and are proficient in the
28 communication mode or language used by the children. Program
29 administrators must have knowledge of the educational issues
30 and related services pertaining to educational programs for
31 children who are deaf and hard of hearing.

32 (5) Educational programs which provide screening and
33 assessment, including but not limited to academic

1 achievement, psychological, social/emotional, vocational,
2 audiological and speech/language, for children who are deaf
3 and hard of hearing using appropriate tools and procedures
4 designed for children who are deaf and hard of hearing. Such
5 screening and assessment will be conducted in the child's
6 communication mode or language by qualified, certified
7 evaluators.

8 (6) Educational programs in which the children's
9 language or communication modes are respected, used, and
10 developed to an appropriate level of proficiency to ensure
11 comprehension and growth.

12 (7) Educational programs which provide ongoing
13 opportunities for the children to have direct interaction and
14 communication with other deaf or hard of hearing children,
15 including a critical mass of peers who are age appropriate
16 and have similar cognitive abilities.

17 (9) Full and equal access to all programs within the
18 children's educational setting.

19 (10) The opportunity to benefit from deaf or hard of
20 hearing role models from within the deaf community and to be
21 exposed to their contributions to society.

22 (11) External support and related services appropriate
23 to the children's needs provided by professionals who are
24 qualified, appropriately trained, or certified and able to
25 communicate proficiently in the language or communication
26 mode utilized by the children either directly or through the
27 use of a qualified interpreter.

28 Section 25. Informed decision. To ensure effective
29 parental or guardianship advocacy and informed participation
30 in the decision making process relating to and affecting
31 their child's education, the local school shall provide and
32 make available unbiased information and resources concerning
33 all available programs, options, and services to parents and

1 legal guardians.

2 Section 30. Coordination. The Deaf and Hard of Hearing
3 Commission shall carry out the intent of this Act and develop
4 and disseminate information and resources to ensure
5 implementation of this Act.

6 Section 35. Application. Nothing in this Act may be
7 construed to limit the child's educational choice among
8 public or private educational programs or educational
9 programs designed for children who are deaf and hard of
10 hearing.