



Rep. Michelle Mussman

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1 AMENDMENT TO HOUSE BILL 1783

2 AMENDMENT NO. _____. Amend House Bill 1783 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Language Equality Acquisition for Deaf, Hard of Hearing, and
6 DeafBlind Children Act.

7 Section 5. Findings and goal.

8 (a) The General Assembly finds that there is an urgent and
9 substantial need to do all of the following:

10 (1) Develop a State-recognized, language needs and
11 monitoring program for deaf, hard of hearing, and
12 DeafBlind infants, toddlers, and children with language
13 milestones to assist parents, guardians, and educators in
14 determining the language and communication needs and goals
15 of deaf, hard of hearing, and DeafBlind infants, toddlers,
16 and children.

1 (2) End language deprivation in children who are deaf,
2 hard of hearing, and DeafBlind through proper assessment,
3 monitoring, and tracking of developmental language and
4 communication milestones.

5 (3) Provide access to language such as, but not
6 limited to, American Sign Language, English, the primary
7 language spoken in a child's home, and Protactile, all of
8 which have been established to be essential in the
9 development of cognition, communication, literacy, and
10 language in deaf, hard of hearing, and DeafBlind infants,
11 toddlers, and children and in enhancing preschool and
12 kindergarten readiness.

13 (4) Maximize the resources associated with early
14 intervention services by ensuring that parents and
15 guardians of deaf, hard of hearing, and DeafBlind infants,
16 toddlers, and children have access to the resources to
17 support language and communication foundation needs and to
18 the curriculum and resources in all intervention and
19 educational settings.

20 (5) Enhance deaf, hard of hearing, and DeafBlind
21 children's independence, linguistic proficiency,
22 productivity, and socialization with peers, families, and
23 the community, as well as maximize the potential for these
24 children to lead quality lives, have adult independence,
25 receive postsecondary education, obtain gainful
26 employment, and build a network of critical relationships

1 and support.

2 (b) The General Assembly declares that the goal of this
3 State is for deaf, hard of hearing, and DeafBlind children to
4 enter public and nonpublic schools in this State prepared for
5 learning, able to communicate with peers and staff, and having
6 access to resources to help these children succeed.

7 Section 10. Definitions. As used in this Act:

8 "American Sign Language" or "ASL" means a complete,
9 visual, and manual sign language with its own grammar and
10 syntax that is used by deaf or hard of hearing individuals and
11 that is the native language of the deaf community in the United
12 States and Canada.

13 "Communication" means the process of exchanging
14 information between individuals or groups that involves the
15 transmission of ideas, feelings, or facts from one person to
16 another, that can be verbal or nonverbal, and that plays a
17 crucial role in human interaction as it is how humans connect
18 and understand each other.

19 "DeafBlind" means concomitant hearing and vision
20 impairments, the combination of which causes significant
21 communication, developmental, or educational needs that cannot
22 be accommodated solely by accommodations for infants, toddlers
23 and children with deafness, low vision, or vision blindness.

24 "English" means a method of human communication consisting
25 of the use of English words in a structured and conventional

1 way, including spoken English, written English, or English
2 with or without the use of visual or tactile supplements or
3 dual language services.

4 "English literacy" means the ability to read and write in
5 English.

6 "IEP" means an individualized education program.

7 "IFSP" means an individualized family service plan.

8 "Kindergarten readiness" means language, communication,
9 early reading and mathematics literacy, and social skills
10 development for each language spoken in a child's home that is
11 consistent with age-related peers by kindergarten.

12 "Language" means the age-appropriate development of human
13 communication, whether spoken, written, or signed, consisting
14 of the use of words and signs in a structured and conventional
15 way.

16 "Language developmental milestones" means milestones of
17 development that are measured by validated instruments used to
18 meet the requirements of federal law for the assessment of
19 children from birth to 5 years of age.

20 "Low vision" or "vision blindness" means a sensory
21 impairment in vision that, even after correction, adversely
22 affects a child's development and educational performance.

23 "Protactile" means a method of human communication
24 consisting of touch-based interactions for the purpose of
25 communication for individuals who are DeafBlind that has its
26 own grammar and syntax, that allows for individuals to connect

1 with the world around them, and that fosters greater
2 independence for those with multisensory impairments.

3 Section 15. Language needs and monitoring program.

4 (a) This Section applies only to children from birth to 5
5 years of age and is subject to appropriation.

6 (b) The Department of Human Services, the Illinois School
7 for the Deaf, and the Illinois School for the Visually
8 Impaired, in cooperation with the Deaf and Hard of Hearing
9 Commission, the Department of Early Childhood, the State Board
10 of Education, and the Department of Public Health, shall
11 establish a language needs and monitoring program for deaf,
12 hard of hearing, and DeafBlind infants, toddlers, and
13 children. The scope of the program shall include language and
14 communication developmental milestones in American Sign
15 Language, English, the primary language spoken in a child's
16 home, Protactile, or more than one of such languages. The
17 purpose of the program is to assess, monitor, and track the
18 language and communication developmental milestones of all
19 infants, toddlers, and children who are deaf, hard of hearing,
20 and DeafBlind and develop a resource for use by parents and
21 guardians to monitor and support deaf, hard of hearing, and
22 DeafBlind infants', toddlers', and children's expressive and
23 receptive language acquisition and developmental stages toward
24 English literacy and kindergarten readiness.

25 (c) The resource developed under subsection (b) shall do

1 all of the following:

2 (1) Include the language and communication
3 developmental milestones selected by the advisory
4 committee established pursuant to subsection (g).

5 (2) Be appropriate for use, in both content and
6 administration, with deaf, hard of hearing, and DeafBlind
7 children from birth to 5 years of age who use American Sign
8 Language, English, the primary language spoken in a
9 child's home, Protactile, or more than one of such
10 languages.

11 (3) Include and present evidence-based, developmental
12 milestones in language and communication for typically
13 developing children, by age range.

14 (4) Be written for clarity and ease of use by parents,
15 guardians, health care professionals, interventionists,
16 and educators.

17 (5) Be aligned to any State guidelines on early
18 intervention, identification, diagnosis, and early
19 childhood education pursuant to federal law and to State
20 standards in English language arts.

21 (6) Inform parents and guardians of their right to
22 choose their preferred language that will be used to
23 communicate and provide a language-rich learning
24 environment for a parent's or guardian's infant, toddler,
25 or child, whether the preferred language is English, ASL,
26 the primary language spoken in the child's home,

1 Protactile, or another language.

2 (7) Inform parents and guardians that they may bring
3 the resource to an IFSP, IEP, or federal Section 504 plan
4 meeting for purposes of supporting their choices and
5 observations regarding their infant's, toddler's, or
6 child's language and communication development. The
7 resource shall include evidence-based, comprehensive
8 information about ASL, English, the primary language
9 spoken in a child's home, Protactile, or more than one of
10 such languages, as well as available services and
11 programs.

12 (8) Make clear that the resource is a checklist of
13 developmental milestones that has been created from
14 evidence-based resources and completed by a parent or
15 guardian and relevant professionals together, that the
16 resource may have similarities and differences from the
17 standardized testing presented at an IFSP, IEP, or federal
18 Section 504 plan meeting, and that the parent or guardian
19 should be aware that a school district is not required to
20 use Language Equality and Acquisition for Deaf Kids
21 (LEAD-K) milestones or assessments specific to LEAD-K for
22 the purpose of developing an IEP or federal Section 504
23 plan.

24 (d) The Department of Human Services, the Illinois School
25 for the Deaf, and the Illinois School for the Visually
26 Impaired, in cooperation with the Deaf and Hard of Hearing

1 Commission, the Department of Early Childhood, the State Board
2 of Education, and the Department of Public Health, shall work
3 with subject matter experts from the advisory committee
4 established pursuant to subsection (g) to select from the
5 current lists of validated tools or assessments for
6 interventionists and educators what tools or assessments are
7 to be used in the assessment of language, communication, and
8 pre-literacy development for all deaf, hard of hearing, and
9 DeafBlind infants, toddlers, and children. The tools or
10 assessments shall do all of the following:

11 (1) Be in a format that shows language and
12 communication developmental milestones.

13 (2) Be selected for use by the advisory committee to
14 track the development of deaf, hard of hearing, and
15 DeafBlind infants', toddlers', and children's expressive
16 and receptive language acquisition and developmental
17 milestones toward literacy.

18 (3) Be selected from a list of tools or assessments
19 used to assess the development of all children from birth
20 to 5 years of age.

21 (4) Be appropriate, in both content and
22 administration, for use with deaf, hard of hearing, and
23 DeafBlind infants, toddlers, and children.

24 The tools or assessments may be used, in addition to the
25 assessments required by federal law, by a child's IFSP or IEP,
26 as applicable, to track a deaf, hard of hearing, or DeafBlind

1 infant's, toddler's, or child's progress and to establish or
2 modify an IFSP or IEP. A child with a federal Section 504 plan
3 shall be assessed to ensure appropriate services are provided.
4 The educator tools or assessments may reflect the
5 recommendations of the advisory committee.

6 (e) The Department of Human Services, the Illinois School
7 for the Deaf, and the Illinois School for the Visually
8 Impaired, in cooperation with the Deaf and Hard of Hearing
9 Commission, the Department of Early Childhood, the State Board
10 of Education, and the Department of Public Health, shall
11 disseminate the resource developed under subsection (b) to the
12 parents and guardians of deaf, hard of hearing, and DeafBlind
13 infants, toddlers, and children and, pursuant to federal law,
14 the Department of Human Services, the Department of Early
15 Childhood, the State Board of Education, and the Department of
16 Public Health shall disseminate the tools and assessments
17 selected under subsection (d) to local educational agencies
18 for use in the development and modification of IEP, IFSP, and
19 federal Section 504 plans.

20 The applicable State agencies shall provide parents and
21 guardians with materials and training on the tools,
22 assessments, and resources for deaf, hard of hearing, and
23 DeafBlind infants, toddlers, and children.

24 (f) Beginning on July 1, 2027, language assessments shall
25 be given to each child who is deaf, hard of hearing, or
26 DeafBlind until the child is 5 years of age. The language

1 assessments shall be administered by a credentialed or
2 licensed early interventionist, educator, speech-language
3 pathologist, or other professional in conjunction with the
4 child's parent or guardian. The assessments shall be provided
5 in accordance with this Section and any rules adopted pursuant
6 to this Act.

7 A deaf, hard of hearing, or DeafBlind child shall be
8 identified by the time the child turns one month old, be
9 referred to early intervention services by the time the child
10 turns 3 months old, and receive early intervention services by
11 the time the child turns 6 months old, unless medically
12 contraindicated.

13 Deaf, hard of hearing, and DeafBlind infants, toddlers,
14 and children who are not newborns and who have late onset
15 hearing loss shall be diagnosed not later than 3 months after
16 any suspected hearing loss and shall be immediately referred
17 to early intervention services after diagnosis.

18 If a deaf, hard of hearing, or DeafBlind child is referred
19 to early intervention services, formal assessments shall be
20 implemented by a developmental therapist with an EI
21 Specialist: Developmental Therapist/Hearing credential or a
22 provider with discipline-specific credentials upon the child
23 entering an early intervention program and at yearly
24 intervals. Developmental therapists with an EI Specialist:
25 Developmental Therapist/Hearing credential and providers with
26 discipline-specific credentials shall refer, as appropriate,

1 children whose primary language is ASL or Protactile to others
2 to ensure assessments of those children are completed by
3 individuals with the ability to accurately conduct such
4 assessments.

5 Deaf, hard of hearing, and DeafBlind children entering
6 school with an IEP or federal Section 504 plan shall receive a
7 formal assessment implemented by a licensed teacher of the
8 deaf or a discipline-specific licensed teacher. Licensed
9 teachers of the deaf or discipline-specific licensed teachers
10 shall refer, as appropriate, children whose primary language
11 is ASL or Protactile to others to ensure assessments of those
12 children are completed by individuals with the ability to
13 accurately conduct such assessments.

14 The advisory committee established pursuant to subsection
15 (g) shall list the criteria used to identify individuals who
16 are qualified to conduct accurate ASL or Protactile
17 assessments in the resource developed under subsection (b).

18 If a deaf, hard of hearing, or DeafBlind child does not
19 demonstrate progress in expressive and receptive language
20 skills, the child's IFSP, IEP, or federal Section 504 plan
21 team shall be responsible for identifying areas that are not
22 meeting the language developmental milestones or progressing
23 toward them. Data collected on children with disabilities in
24 addition to hearing loss, children that are non-native English
25 speakers, and children with unilateral or bilateral hearing
26 loss should be extrapolated and analyzed independently to

1 ensure that data efficacy is not compromised. The IFSP, IEP,
2 or federal Section 504 plan team, including the child's parent
3 or guardian, shall recommend and implement specific
4 strategies, services, and programs that shall be provided to
5 assist the child's success toward learning American Sign
6 Language, English, the primary language spoken in the child's
7 home, Protactile, or more than one of such languages. A
8 follow-up meeting shall be scheduled within 30 to 60 days
9 after the recommendations are made to determine the effects of
10 the recommendations.

11 (g) An advisory committee on language assessment programs
12 shall be established.

13 The advisory committee shall consist of all of the
14 following voting members, each appointed by the Secretary of
15 Human Services, in consultation with the Illinois School for
16 the Deaf and the Illinois School for the Visually Impaired:

17 (1) One parent or guardian of a child who is no more
18 than 18 years of age, who is deaf, hard of hearing, or
19 DeafBlind, and who uses ASL and the English language.

20 (2) One parent or guardian of a child who is no more
21 than 18 years of age, who is deaf, hard of hearing, or
22 DeafBlind, and who primarily uses spoken English, without
23 visual supplements.

24 (3) One expert on language outcomes for deaf and hard
25 of hearing children using ASL and the English language.

26 (4) One licensed teacher of deaf and hard of hearing

1 pupils from a spoken English-only school or one expert on
2 language outcomes for deaf and hard of hearing children
3 using spoken English, with or without visual supplements.

4 (5) One licensed teacher of deaf and hard of hearing
5 pupils whose expertise is in curriculum and instruction in
6 ASL and English, with or without visual supplements, or
7 one licensed teacher of deaf and hard of hearing pupils
8 whose expertise is in ASL and English language assessment,
9 with or without visual supplements.

10 (6) A psychologist with expertise in assessing deaf
11 and hard of hearing children who use or are fluent in ASL
12 and English.

13 (7) One developmental therapist with an EI Specialist:
14 Developmental Therapist/Hearing credential who works with
15 deaf and hard of hearing infants and toddlers using ASL
16 and the English language.

17 (8) One licensed speech-language pathologist who has
18 expertise in working with infants, toddlers, and children
19 who uses Listening and Spoken Language methodologies.

20 (9) One licensed speech-language pathologist who has
21 expertise in working with infants, toddlers, and children
22 who use ASL.

23 (10) One deaf person who represents the deaf
24 community.

25 (11) One DeafBlind specialist or DeafBlind educator
26 whose expertise is in DeafBlind advocacy or education.

1 (12) One licensed teacher of deaf and hard of hearing
2 pupils who also has significant experience in working with
3 deaf, hard of hearing, or DeafBlind students with other
4 educational disabilities who are no more than 5 years of
5 age.

6 (13) One licensed pediatric audiologist with working
7 knowledge of ASL and English.

8 The advisory committee shall also consist of the following
9 nonvoting members, who shall provide administrative and other
10 support to the advisory committee:

11 (A) The State Superintendent of Education or his or
12 her designee.

13 (B) The Director of the Deaf and Hard of Hearing
14 Commission or his or her designee.

15 (C) The Secretary of Early Childhood or his or her
16 designee.

17 (D) The Director of Public Health or his or her
18 designee.

19 (E) The Superintendent of the Illinois School for the
20 Deaf or his or her designee.

21 (F) The Secretary of Human Services or his or her
22 designee.

23 The Department of Human Services shall call an
24 organizational meeting of the advisory committee within 60
25 days after the effective date of this Act. At the
26 organizational meeting, the members of the advisory committee

1 shall elect a chairperson from among the membership of the
2 advisory committee. The advisory committee may meet at any
3 time in person or via webinar within this State at the call of
4 the chairperson.

5 Members of the advisory committee shall serve without
6 compensation or travel reimbursement. Communication access
7 accommodations, such as interpreters and captioning, must be
8 provided at all meetings to ensure full participation.

9 A quorum of the advisory committee shall consist of a
10 two-thirds majority of the members appointed to the advisory
11 committee. All actions and recommendations of the advisory
12 committee must be approved by a vote of the appointed members.

13 Any vacancy in the advisory committee shall be filled in
14 the same manner as the original appointment.

15 The Department of Human Services, under the direction of
16 the Illinois School for the Deaf and the Illinois School for
17 the Visually Impaired, shall provide the advisory committee
18 with administrative support.

19 (h) Language developmental milestones selected by the
20 advisory committee shall be aligned with this State's infant,
21 toddler, preschool, and school-age guidelines, as well as
22 federal laws and State standards in English language arts and
23 related programs.

24 (i) On or before December 1, 2027, the advisory committee
25 shall develop specific action plans, timelines, and
26 anticipated costs and propose recommendations for rules that

1 are necessary to fully implement language and communication
2 tools, assessments, and resources.

3 The advisory committee may do all of the following:

4 (1) Solicit input from experts on the selection of
5 language and communication developmental milestones
6 related to the resources, tools, and assessments.

7 (2) Review, select, and monitor the use of language
8 and communication assessments for infants, toddlers, and
9 children who are deaf, hard of hearing, and DeafBlind.

10 (3) Identify criteria for qualified ASL and English
11 experts who can support initial and periodic IFSP, IEP, or
12 federal Section 504 plan team meetings.

13 (4) Identify methods for documenting, monitoring, and
14 submitting to all applicable State agencies child-specific
15 information on language and communication assessment
16 results, milestones, assessment tools, and the progress of
17 a child.

18 Child-specific periodic assessment results and
19 longitudinal progress information shall be made available to
20 each applicable State agency, the parent or guardian of a
21 child, teachers, and other professionals involved in the early
22 intervention and education of a child.

23 (j) The specific action plans and rule recommendations
24 developed by the advisory committee shall include, but are not
25 limited to, all of the following:

26 (1) Language and communication assessments, including

1 child-specific data collection and timely tracking through
2 a statewide data system, of a child's development to
3 provide information about the child's receptive and
4 expressive language acquisition compared to the child's
5 typically developing, age-related peers who are not deaf,
6 hard of hearing, or DeafBlind.

7 (2) Language and communication assessments conducted
8 in accordance with standardized procedures and timelines
9 to monitor and track milestones in both receptive and
10 expressive language acquisition based on developmental
11 milestones toward kindergarten readiness for all children
12 who are deaf, hard of hearing, or DeafBlind from birth to 5
13 years of age.

14 (3) Language assessments delivered in ASL, English, or
15 the primary language spoken in a child's home that have
16 been validated for the specific purposes for which each
17 assessment is used and appropriately normed.

18 (4) The reporting of assessment results to the parent
19 or guardian of a child and to the Department of Human
20 Services, the Illinois School for the Deaf, and the
21 Illinois School for the Visually Impaired, in cooperation
22 with the Deaf and Hard of Hearing Commission, the
23 Department of Early Childhood, the State Board of
24 Education, and the Department of Public Health, to ensure
25 accountability and provide information on how the
26 education of infants, toddlers, and children who are deaf,

1 hard of hearing, or DeafBlind can be improved. The
2 Department of Human Services shall publish annual reports
3 related to this Act.

4 (5) The reporting of assessment results to a child's
5 IFSP, IEP, or federal Section 504 plan team, annually, to
6 assist the team in ensuring that appropriate language
7 development remains a priority and continues to be
8 monitored by the team.

9 Assessment results can be used to guide IFSP, IEP, and
10 federal Section 504 plan teams for the purpose of reviewing
11 the progress of a child's language and communication
12 development.

13 Language assessments shall be administered by individuals
14 who are proficient and have expertise in the language
15 developmental stages of ASL, English, or the primary language
16 spoken in a child's home.

17 (k) All activities in implementing this Section shall be
18 consistent with federal and State law regarding the education
19 of children with disabilities and the privacy of pupil
20 information.

21 (l) This Section is repealed on January 1, 2028.

22 Section 20. Joint action plan. On or before July 1, 2028,
23 the Department of Human Services, the Illinois School for the
24 Deaf, and the Illinois School for the Visually Impaired, in
25 cooperation with the Deaf and Hard of Hearing Commission, the

1 Department of Early Childhood, the State Board of Education,
2 and the Department of Public Health, shall publish a joint
3 action plan and may propose legislation and rules necessary to
4 implement the recommendations of the advisory committee
5 established under Section 15. The joint action plan and
6 proposed legislation and rules may include all of the
7 following:

8 (1) Recommendations on evidence-based and
9 research-supported tools to help identify deaf, hard of
10 hearing, and DeafBlind children from birth to 5 years of
11 age.

12 (2) The development of resources and training for
13 parents, guardians, health care providers,
14 interventionists, and educators about State resources
15 available to deaf, hard of hearing, and DeafBlind infants,
16 toddlers, and children of school age. The resources and
17 training shall include evidence-based information on
18 language and communication development for English and
19 American Sign Language.

20 (3) Strategies and suggestions on ways to connect
21 deaf, hard of hearing, and DeafBlind adults with families
22 supporting children in need of support.

23 (4) Recommendations for training and educating
24 physicians and other health care providers on how to
25 connect deaf, hard of hearing, and DeafBlind children and
26 their parents or guardians to resources and support.

1 Section 25. Reporting. On or before July 1, 2029, the
2 Department of Human Services, the Illinois School for the
3 Deaf, and the Illinois School for the Visually Impaired, in
4 cooperation with the Deaf and Hard of Hearing Commission, the
5 Department of Early Childhood, and the Department of Public
6 Health, shall jointly publish aggregate, de-identified data on
7 the number of children from birth to 3 years of age in this
8 State who have been diagnosed as deaf, hard of hearing, or
9 DeafBlind. The Department of Human Services shall publish
10 de-identified, aggregate data on the number and scope of
11 individualized education programs written for students from 3
12 to 5 years of age who are enrolled in public preschool programs
13 and who are deaf, hard of hearing, and DeafBlind and the number
14 and scope of individualized education programs for students in
15 kindergarten and first grade who are deaf, hard of hearing,
16 and DeafBlind. The Department of Human Services, the Illinois
17 School for the Deaf, and the Illinois School for the Visually
18 Impaired, in cooperation with the Deaf and Hard of Hearing
19 Commission, the Department of Early Childhood, and the
20 Department of Public Health, may add additional data reporting
21 recommendations. The data must be shared within the
22 requirements of the federal Family Educational Rights and
23 Privacy Act of 1974, the Illinois School Student Records Act,
24 and the Personal Information Protection Act.

1 Section 30. Information sharing.

2 (a) For the purposes of documentation and coordination of
3 medical care, intervention, or educational services, each
4 applicable State agency may share screening, diagnosis,
5 intervention, education, assessment, and monitoring
6 information with other State agencies and a child's parent or
7 guardian.

8 (b) If providing services to a newborn, infant, or child,
9 a medical care facility, health care provider, early
10 interventionist, local health department, or the University of
11 Illinois at Chicago Division of Specialized Care for Children
12 may submit information or reports to an applicable State
13 agency about the screening, diagnosis, intervention,
14 education, assessment, or follow-up services of the newborn,
15 infant, or child. Submission shall be done within 7 days after
16 the date of service or an inquiry from the State agency.
17 Reports shall be in a format determined by the State agency.

18 (c) The Department of Human Services, the Illinois School
19 for the Deaf, and the Illinois School for the Visually
20 Impaired, in cooperation with the Deaf and Hard of Hearing
21 Commission, the Department of Early Childhood, the State Board
22 of Education, and the Department of Public Health, may
23 exchange child-specific data for children who are deaf, hard
24 of hearing, and DeafBlind for the purpose of tracking,
25 monitoring, and quality assurance.

26 (d) Except in cases of willful or wanton misconduct, no

1 person or entity acting in compliance with this Section is
2 civilly or criminally liable for any act performed in
3 compliance with this Section, including furnishing any
4 required information under this Section.

5 Section 40. Rulemaking. The Department of Human Services,
6 in cooperation with the Deaf and Hard of Hearing Commission,
7 the Department of Early Childhood, the State Board of
8 Education, and the Department of Public Health, may adopt any
9 rules necessary to implement this Act.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law."