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**HOUSE BILL NO. 676****AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the House Committee on Education  
on February 7, 2018)

(Patron Prior to Substitute—Delegate Pogge)

A *BILL* to amend the Code of Virginia by adding sections numbered 22.1-217.03 and 30-236.1, relating to children who are deaf or hard of hearing; services; advisory committee.

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding sections numbered 22.1-217.03 and 30-236.1 as follows:**

**§ 22.1-217.03. Children who are deaf or hard of hearing; state goal; services.**

A. It is the goal of the Commonwealth that each child who is deaf or hard of hearing is (i) as linguistically ready for kindergarten as his peers who are not deaf or hard of hearing and (ii) receptively and expressively literate in English and literate in written English by the end of third grade.

B. Each agency of the Commonwealth that is responsible for providing services to children who are deaf or hard of hearing shall collaborate to provide unified and seamless services for each such child from the onset of the Early Hearing Detection and Intervention process through the end of his elementary and secondary school career. Such services shall include:

1. Providing comprehensive and unbiased information for the parents of each such child relating to the different communication modes that individuals who are deaf or hard of hearing use to learn and access language and the advocacy, interventions, services, and supports that such agencies and other appropriate entities offer to help meet the unique needs of each child who is deaf or hard of hearing;

2. Facilitating the parents' decision regarding the appropriate modes of communication for their child; and

3. Facilitating the provision of the appropriate modes of communication, learning environments, and other services by professionals with the requisite training, experience, and skill.

**§ 30-236.1. Deaf and Hard-of-Hearing Children's Advisory Subcommittee.**

A. The Deaf and Hard-of-Hearing Children's Advisory Subcommittee (the Subcommittee) is established as a subcommittee of the Commission to advise the Commission on the provision of services in the Commonwealth for children who are deaf or hard of hearing. The Subcommittee shall have a total membership of 14 nonlegislative citizen members appointed by the chairman of the Commission as follows, giving due consideration to the representation of a variety of geographical regions and communication mode preferences:

1. Nine voting members, consisting of one parent of a child who is deaf or hard of hearing who has chosen American Sign Language as the primary language for his child; one parent of a child who is deaf or hard of hearing who has chosen Listening and Spoken Language as the communication mode for spoken English for his child; one parent of a child who is deaf or hard of hearing who has chosen Cued Speech as the communication mode for spoken English for his child; one professional individual who possesses the highest skill level in the development of American Sign Language competence; one professional individual who possesses the highest skill level in the development of Listening and Spoken Language competence; one professional individual who possesses the highest skill level in the development of Cued Speech/Language competence; one pediatric audiologist with at least five years of experience treating children who are deaf or hard of hearing; one nurse with at least five years of experience in a neonatal intensive care unit; and one pediatric otologist, neuro-otologist, or otolaryngologist; and

2. Five nonvoting members, consisting of one member of the Virginia Early Hearing Detection and Intervention Program Advisory Committee, one member of the Board of Visitors of the Virginia School for the Deaf and the Blind, one representative of the Infant & Toddler Connection of Virginia, one representative of the Virginia Department of Education, and one representative of the Center for Family Involvement at the Virginia Commonwealth University Partnership for People with Disabilities.

B. Nonlegislative citizen members of the Subcommittee shall be citizens of the Commonwealth.

C. Members shall be appointed to serve two-year terms. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Vacancies shall be filled in the same manner as the original appointments. All members may be reappointed.

D. The Subcommittee shall elect a chairman, vice-chairman, and secretary from among its membership. The secretary shall record the minutes of each meeting. A majority of the voting members shall constitute a quorum. The Subcommittee shall meet no more than four times each year. The meetings of the Subcommittee shall be held at the call of the chairman or whenever the majority of the members so request. Any recommendation of the Subcommittee shall require the affirmative vote of

60 *two-thirds of the voting members present.*

61 *E. No member of the Subcommittee shall receive compensation for the performance of his duties or*  
62 *be reimbursed for expenses incurred in the performance of his duties.*

63 *F. The Subcommittee shall:*

64 *1. Recommend to the Commission for adoption a resource guide to be provided to the parents of any*  
65 *child who is deaf or hard of hearing at the time that such hearing loss is identified that includes*  
66 *information on language acquisition, development, and options; types and degrees of hearing loss;*  
67 *modes of communication; amplification options; skills necessary for pre-literacy, preschool readiness,*  
68 *kindergarten readiness, and third grade literacy; existing state educational and therapy services and*  
69 *programs; and support and advocacy services available from national and state public and private*  
70 *agencies and entities with staff who are knowledgeable about the needs of children who are deaf or*  
71 *hard of hearing;*

72 *2. Assess the availability of services in the Commonwealth to meet the needs of children who are*  
73 *deaf or hard of hearing and their parents and recommend to the Commission strategies for improving*  
74 *service delivery and assessing and tracking progress to ensure that such children achieve kindergarten*  
75 *readiness and third grade literacy; and*

76 *3. Submit an annual report to the Commission.*

77 *G. This section shall expire on July 1, 2020.*