

HOUSE BILL 879

F1, O3

6lr1803
CF SB 502

By: **Delegates Bagnall and Guyton**

Introduced and read first time: February 4, 2026

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Language Acquisition Tracking Program for Deaf and Hard of Hearing**
3 **Children – Establishment**

4 FOR the purpose of establishing the Language Acquisition Tracking Program for Deaf and
5 Hard of Hearing Children in the State Department of Education; establishing a State
6 Coordinator of Language Acquisition for Deaf and Hard of Hearing Children within
7 the Department to coordinate the Program and create a parent and guardian
8 resource to help parents and guardians of deaf or hard of hearing children track a
9 child's language acquisition progress; establishing the Language Acquisition for Deaf
10 and Hard of Hearing Children Advisory Council to advise and provide certain
11 consultation services to the State Coordinator, approve a certain language
12 assessment tool, and review a certain report; requiring the Department, in
13 consultation with the Maryland Department of Health and the Maryland School for
14 the Deaf, to issue an annual report on the language acquisition of deaf or hard of
15 hearing children; and generally relating to the establishment of a Language
16 Acquisition Tracking Program for Deaf and Hard of Hearing Children.

17 BY adding to

18 Article – Education

19 Section 8–801 through 8–807 to be under the new subtitle “Subtitle 8. Language

20 Acquisition Tracking Program for Deaf and Hard of Hearing Children”

21 Annotated Code of Maryland

22 (2022 Replacement Volume and 2025 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

24 That the Laws of Maryland read as follows:

25

Article – Education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



3 8-801.

4 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.

(B) "ADVISORY COUNCIL" MEANS THE LANGUAGE ACQUISITION FOR DEAF AND HARD OF HEARING CHILDREN ADVISORY COUNCIL.

(C) "DEAF OR HARD OF HEARING" MEANS A DIAGNOSIS OF PERMANENT HEARING LOSS IN ONE OR BOTH EARS.

10 (D) "ELIGIBLE CHILD" MEANS A DEAF OR HARD OF HEARING CHILD WHO:

11 (1) IS UNDER THE AGE OF 9 YEARS; AND

12 (2) HAS:

20 (E) "PROGRAM" MEANS THE LANGUAGE ACQUISITION TRACKING
21 PROGRAM FOR DEAF AND HARD OF HEARING CHILDREN.

22 (F) "STATE COORDINATOR" MEANS THE STATE COORDINATOR OF
23 LANGUAGE ACQUISITION FOR DEAF AND HARD OF HEARING CHILDREN.

24 8-802.

25 (A) THERE IS A LANGUAGE ACQUISITION TRACKING PROGRAM FOR DEAF
26 AND HARD OF HEARING CHILDREN IN THE DEPARTMENT.

6 (3) AN ELIGIBLE CHILD SHALL BE ASSESSED FOR LANGUAGE
7 ACQUISITION SKILLS FROM ENTRY INTO THE PROGRAM UNTIL THE CHILD'S NINTH
8 BIRTHDAY.

9 (c) (1) THE PROGRAM SHALL TRACK EACH ELIGIBLE CHILD'S LANGUAGE
10 ACQUISITION USING THE LANGUAGE ASSESSMENT TOOL APPROVED BY THE
11 ADVISORY COUNCIL.

22 (I) BY THE ELIGIBLE CHILD'S TEACHER OR AN ASSESSMENT
23 SPECIALIST; AND

24 (II) 1. WITHIN 6 MONTHS AFTER THE ELIGIBLE CHILD IS
25 DIAGNOSED AS BEING DEAF OR HARD OF HEARING; AND

27 (4) AN ASSESSMENT WITH THE LANGUAGE ASSESSMENT TOOL SHALL
28 EVALUATE AN ELIGIBLE CHILD'S PROGRESS TOWARD MEETING AGE- AND
29 GRADE-APPROPRIATE DEVELOPMENTAL MILESTONES AND LANGUAGE
30 ACQUISITION BENCHMARKS IDENTIFIED BY THE STATE COORDINATOR.

31 (5) EDUCATORS AND ASSESSMENT SPECIALISTS SHALL USE THE
32 LANGUAGE ASSESSMENT TOOL TO TRACK AN ELIGIBLE CHILD'S PROGRESS

1 THROUGH DEVELOPMENTAL STAGES TOWARD KINDERGARTEN READINESS AND
2 ENGLISH LITERACY.

3 (6) ANY INFORMATION COLLECTED USING THE LANGUAGE
4 ASSESSMENT TOOL MAY:

5 (I) BE PROVIDED TO THE ELIGIBLE CHILD'S TEACHER AND
6 PARENT OR GUARDIAN; AND

7 (II) BE INCORPORATED INTO THE ELIGIBLE CHILD'S
8 INDIVIDUALIZED FAMILY SERVICE PLAN, INDIVIDUALIZED EDUCATION PROGRAM,
9 OR SECTION 504 PLAN, AS APPLICABLE.

10 (7) IF AN ELIGIBLE CHILD DOES NOT DEMONSTRATE PROGRESS IN
11 EXPRESSIVE LANGUAGE ACQUISITION AND RECEPTIVE LANGUAGE ACQUISITION AS
12 MEASURED BY THE LANGUAGE ASSESSMENT TOOL, THE ELIGIBLE CHILD'S
13 INDIVIDUALIZED FAMILY SERVICE PLAN, INDIVIDUALIZED EDUCATION PROGRAM,
14 OR SECTION 504 PLAN, AS APPLICABLE, SHALL BE UPDATED TO:

15 (I) EXPLAIN IN DETAIL THE REASONS WHY THE ELIGIBLE
16 CHILD IS NOT MAKING PROGRESS TOWARD AGE- AND GRADE-APPROPRIATE
17 DEVELOPMENTAL MILESTONES AND LANGUAGE ACQUISITION BENCHMARKS; AND

18 (II) SPECIFY SPECIFIC STRATEGIES, SERVICES, AND PROGRAMS
19 THAT WILL BE PROVIDED TO ASSIST THE CHILD.

20 (8) THE STATE COORDINATOR SHALL PROVIDE PROFESSIONAL
21 DEVELOPMENT AND TRAINING OPPORTUNITIES FOR EDUCATORS AND ASSESSMENT
22 SPECIALISTS ON THE USE AND OPERATION OF THE LANGUAGE ASSESSMENT TOOL.

23 (D) A PARENT OR GUARDIAN MAY OPT AN ELIGIBLE CHILD OUT OF AN
24 ASSESSMENT UNDER THE PROGRAM BY PROVIDING WRITTEN NOTIFICATION TO THE
25 CHILD'S SCHOOL THAT THE PARENT OR GUARDIAN HAS OPTED THE CHILD OUT OF
26 AN ASSESSMENT.

27 8-803.

28 (A) THERE IS A STATE COORDINATOR OF LANGUAGE ACQUISITION FOR
29 DEAF AND HARD OF HEARING CHILDREN.

30 (B) THE STATE COORDINATOR IS A POSITION WITHIN THE DEPARTMENT.

31 (C) (1) THE STATE COORDINATOR MUST:

4 (II) DEMONSTRATE PROFICIENCY IN AMERICAN SIGN
5 LANGUAGE AND WRITTEN ENGLISH;

6 (III) DEMONSTRATE A PROFESSIONAL KNOWLEDGE OF
7 DIFFERENT LANGUAGE MODALITIES INCLUDING SIGNED LANGUAGE, PROTACTILE
8 LANGUAGE, AND SPOKEN LANGUAGE; AND

9 (IV) DEMONSTRATE A PROFESSIONAL KNOWLEDGE OF HEARING
10 TECHNOLOGIES FOR USE BY DEAF OR HARD OF HEARING CHILDREN.

13 (D) THE STATE COORDINATOR IS RESPONSIBLE FOR THE
14 IMPLEMENTATION OF THE PROGRAM.

22 (2) DEVELOPING AND IMPLEMENTING A PROCESS FOR ASSESSING
23 THE MILESTONES AND BENCHMARKS IDENTIFIED UNDER ITEM (1) OF THIS
24 SUBSECTION;

27 (4) ENSURING THAT ELIGIBLE CHILDREN ARE BEING PROPERLY
28 TRACKED BY THE LANGUAGE ASSESSMENT TOOL APPROVED BY THE ADVISORY
29 COUNCIL UNDER § 8-805 OF THIS SUBTITLE;

9 (F) IN THE PERFORMANCE OF ASSIGNED DUTIES, THE STATE
10 COORDINATOR SHALL WORK IN COLLABORATION AND COOPERATION WITH:

17 (4) THE MARYLAND SCHOOL FOR THE DEAF.

18 8-804.

19 (A) THE STATE COORDINATOR SHALL CREATE A PARENT AND GUARDIAN
20 RESOURCE.

21 (B) (1) THE PURPOSE OF THE PARENT AND GUARDIAN RESOURCE IS TO
22 PROVIDE PARENTS AND GUARDIANS WITH INFORMATION ABOUT AGE- AND
23 GRADE-APPROPRIATE DEVELOPMENTAL MILESTONES AND LANGUAGE
24 ACQUISITION BENCHMARKS FOR CHILDREN AT DIFFERENT AGES UNDER THE AGE
25 OF 9 YEARS.

(2) THE PARENT AND GUARDIAN RESOURCE SHALL:

27 (I) INCLUDE RESEARCH- AND EVIDENCE-BASED,
28 COMPREHENSIVE INFORMATION ABOUT THE PROGRAM'S:

1 1. AGE- AND GRADE-APPROPRIATE DEVELOPMENTAL
2 MILESTONES; AND

3 2. LANGUAGE ACQUISITION BENCHMARKS, INCLUDING
4 SIGNED LANGUAGE ACQUISITION AND SPOKEN LANGUAGE ACQUISITION;

5 (II) HELP A PARENT OR GUARDIAN TRACK AN ELIGIBLE CHILD'S
6 PROGRESS TOWARD THE PROGRAM'S:

7 1. AGE- AND GRADE-APPROPRIATE DEVELOPMENTAL
8 MILESTONES; AND

9 2. LANGUAGE ACQUISITION BENCHMARKS, INCLUDING
10 SIGNED LANGUAGE ACQUISITION, SPOKEN LANGUAGE ACQUISITION, EXPRESSIVE
11 LANGUAGE ACQUISITION, AND RECEPTIVE LANGUAGE ACQUISITION;

12 (III) INCLUDE INFORMATION ABOUT AVAILABLE SERVICES AND
13 PROGRAMS FOR WHICH AN ELIGIBLE CHILD MAY QUALIFY;

14 (IV) BE WRITTEN CLEARLY AND BE EASY TO UNDERSTAND;

15 (V) BE APPROPRIATE FOR USE WITH DEAF OR HARD OF
16 HEARING CHILDREN;

17 (VI) BE CONSISTENT WITH EXISTING STATE AND FEDERAL
18 GUIDELINES GOVERNING CHILDREN WITH DISABILITIES AND LANGUAGE
19 ACQUISITION; AND

20 (VII) INCLUDE THE FOLLOWING STATEMENTS:

21 1. "THIS PARENT AND GUARDIAN RESOURCE IS NOT A
22 FORMAL ASSESSMENT OF A CHILD'S LANGUAGE AND LITERACY DEVELOPMENT.;"

23 2. "A PARENT'S OR GUARDIAN'S OBSERVATIONS OF A
24 CHILD MAY DIFFER FROM THE WAY THE CHILD IS DESCRIBED THROUGH FORMAL
25 ASSESSMENT PRESENTED AS PART OF A CHILD'S INDIVIDUALIZED FAMILY SERVICE
26 PLAN, INDIVIDUALIZED EDUCATION PROGRAM, OR SECTION 504 PLAN."; AND

27 3. "A PARENT OR GUARDIAN MAY BRING THIS PARENT
28 AND GUARDIAN RESOURCE TO A CHILD'S INDIVIDUALIZED FAMILY SERVICE PLAN
29 MEETING, INDIVIDUALIZED EDUCATION PROGRAM MEETING, OR SECTION 504 PLAN
30 MEETING IN ORDER TO SHARE OBSERVATIONS ABOUT A CHILD'S EXPRESSIVE

1 LANGUAGE ACQUISITION AND RECEPTIVE LANGUAGE ACQUISITION AND LITERACY
2 DEVELOPMENT.”.

3 (C) THE STATE COORDINATOR SHALL:

4 (1) TAKE REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO THE
5 PARENT AND GUARDIAN RESOURCE FOR INDIVIDUALS WITH LIMITED ENGLISH
6 PROFICIENCY WHO NEED LANGUAGE ASSISTANCE, INCLUDING ANY ORAL, WRITTEN,
7 AND SIGN LANGUAGE SERVICES; AND

8 (2) ARRANGE FOR THE TRANSLATION OF THE PARENT AND
9 GUARDIAN RESOURCE INTO ANY LANGUAGE SPOKEN BY ANY LIMITED ENGLISH
10 PROFICIENT POPULATION THAT CONSTITUTES 3% OF THE POPULATION WITHIN THE
11 GEOGRAPHIC AREA SERVED BY A LOCAL SCHOOL SYSTEM.

12 (D) THE DEPARTMENT, WITH THE ASSISTANCE OF THE MARYLAND
13 DEPARTMENT OF HEALTH, THE MARYLAND SCHOOL FOR THE DEAF, AND COUNTY
14 BOARDS, SHALL PROVIDE A COPY OF THE PARENT AND GUARDIAN RESOURCE TO THE
15 PARENT OR GUARDIAN OF EACH ELIGIBLE CHILD.

16 8-805.

17 (A) THERE IS A LANGUAGE ACQUISITION FOR DEAF AND HARD OF
18 HEARING CHILDREN ADVISORY COUNCIL.

19 (B) THE ADVISORY COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:

20 (1) ONE REPRESENTATIVE OF THE GOVERNOR'S OFFICE OF THE
21 DEAF AND HARD OF HEARING, APPOINTED BY THE DIRECTOR OF THE OFFICE;

22 (2) ONE REPRESENTATIVE OF THE DEPARTMENT, APPOINTED BY
23 THE STATE SUPERINTENDENT;

24 (3) ONE REPRESENTATIVE OF THE MARYLAND DEPARTMENT OF
25 HEALTH, APPOINTED BY THE SECRETARY OF HEALTH; AND

26 (4) SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE FOLLOWING
27 MEMBERS, APPOINTED BY THE STATE COORDINATOR:

28 (I) ONE REPRESENTATIVE OF THE EARLY HEARING
29 DETECTION AND INTERVENTION ADVISORY COUNCIL;

6 (IV) ONE EMPLOYEE OF A COUNTY BOARD WITH EXPERTISE IN
7 THE EDUCATION OF DEAF OR HARD OF HEARING CHILDREN;

8 (v) ONE PARENT OR GUARDIAN OF A DEAF OR HARD OF
9 HEARING CHILD WHO COMMUNICATES PRIMARILY THROUGH AMERICAN SIGN
10 LANGUAGE;

11 (VI) ONE PARENT OR GUARDIAN OF A DEAF OR HARD OF
12 HEARING CHILD WHO COMMUNICATES PRIMARILY THROUGH SPOKEN ENGLISH;

13 (VII) ONE DEAF OR HARD OF HEARING PARENT OR GUARDIAN OF
14 A DEAF OR HARD OF HEARING CHILD:

15 (VIII) ONE EMPLOYEE OF A COUNTY BOARD WHO WORKS IN A
16 LOCAL INFANTS AND TODDLERS PROGRAM ESTABLISHED OR DESIGNATED UNDER §
17 8-416 OF THIS TITLE THAT SERVES DEAF OR HARD OF HEARING CHILDREN;

18 (IX) ONE TEACHER WHO:

23 (X) ONE TEACHER WHO TEACHES DEAF OR HARD OF HEARING
24 CHILDREN USING SPOKEN ENGLISH.

25 (C) IN APPOINTING MEMBERS TO THE ADVISORY COUNCIL, THE STATE
26 COORDINATOR SHALL ATTEMPT TO ENSURE THAT AN EQUAL NUMBER OF
27 REPRESENTATIVES HAVE EXPERTISE IN SIGNED LANGUAGE AND SPOKEN
28 LANGUAGE.

29 (D) (1) THE TERM OF A MEMBER IS 3 YEARS.

30 (2) THE TERM OF A MEMBER BEGINS JULY 1.

(3) THE TERMS OF MEMBERS ARE STAGGERED AS REQUIRED BY THE
TERMS PROVIDED FOR MEMBERS OF THE ADVISORY COUNCIL ON JULY 1, 2026.

8 (E) THE MEMBERS OF THE ADVISORY COUNCIL SHALL ELECT A CHAIR
9 FROM AMONG THE ADVISORY COUNCIL'S MEMBERS.

10 (F) THE ADVISORY COUNCIL SHALL MEET WHEN CONVENED BY THE STATE
11 COORDINATOR.

12 (G) A MEMBER OF THE ADVISORY COUNCIL:

13 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE
14 ADVISORY COUNCIL; BUT

15 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
16 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

26 (4) PROVIDE CONSULTATION SERVICES TO THE STATE
27 COORDINATOR ON IDENTIFYING AGE- AND GRADE-APPROPRIATE DEVELOPMENTAL
28 MILESTONES AND LANGUAGE ACQUISITION BENCHMARKS IN ACCORDANCE WITH §
29 8-803 OF THIS SUBTITLE; AND

3 (I) THE ADVISORY COUNCIL MAY MAKE RECOMMENDATIONS TO THE
4 STATE COORDINATOR ON CHANGES TO THE PARENT AND GUARDIAN RESOURCE.

5 8-806.

6 (A) A LANGUAGE ASSESSMENT TOOL MUST MEET THE CRITERIA DESCRIBED
7 UNDER THIS SECTION TO BE USED IN THE PROGRAM.

8 (B) THE LANGUAGE ASSESSMENT TOOL SHALL:

(2) BE APPROPRIATE FOR DEAF OR HARD OF HEARING CHILDREN:

12 (3) BE A TOOL USED TO ASSESS THE DEVELOPMENT OF CHILDREN
13 UNDER THE AGE OF 9 YEARS:

22 8-807.

28 (2) THE REPORT SHALL BE:

6 (B) THE REPORT REQUIRED UNDER THIS SECTION SHALL COMPARE THE
7 LANGUAGE ACQUISITION OF ELIGIBLE CHILDREN WITH THE LANGUAGE
8 ACQUISITION OF THEIR PEERS.

9 (C) (1) THE REPORT SHALL INCLUDE RESULTS DISAGGREGATED BY AN
10 ELIGIBLE CHILD'S:

11 (I) **LANGUAGE MODALITY, WHETHER SIGNED OR SPOKEN;**

12 (II) HEARING LEVEL:

13 (III) DISABILITY STATUS, OTHER THAN DEAF OR HARD OF
14 HEARING; AND

15 (IV) RACE.

(D) SERVICES AN ELIGIBLE CHILD HAS RECEIVED; AND

(II) AN ELIGIBLE CHILD'S GEOGRAPHIC LOCATION.

22 (D) ALL DATA SHALL BE REPORTED IN A MANNER CONSISTENT WITH STATE
23 AND FEDERAL LAW GOVERNING THE PRIVACY OF CHILD AND STUDENT
24 INFORMATION.

25 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial
26 members of the Language Acquisition for Deaf and Hard of Hearing Children Advisory
27 Council shall expire as follows:

28 (1) four members in 2029;

29 (2) four members in 2030; and

1 (3) five members in 2031.

2 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
3 1, 2026.