

The 86th Texas Legislature finds that children who are deaf or hard of hearing (DHH) and Deafblind (DB) are often at risk for language delay or deprivation. The purpose of House Bill (HB) 548 is to generate and monitor data on the language acquisition of children eight years of age or younger who are deaf or hard of hearing.

For additional questions on HB 548, please email the Special Education Language Acquisition (SELA) mailbox at [SELA@tea.texas.gov](mailto:SELA@tea.texas.gov).

## Consent

### 1. What if the parents do not give consent for testing? **UPDATED August 6, 2021**

Parent consent is required to conduct the assessment. If the parents do not provide consent, then the local education agency (LEA) will indicate this in the Texas Student Data System (TSDS) SELA core collection by selecting "Not Assessed for (E1668) Assessment Reporting Category."

LEAs must obtain annual consent from parents to conduct assessments for HB 548.

### 2. If a parent does not consent to testing, will that negatively impact the assessment LEAs conduct for writing their present level of academic achievement and functional performance (PLAAFP) statements?

No, if a parent does not consent to testing for HB 548, that has no impact on the annual assessment for special education services or developing individualized education program (IEP) goals and PLAAFP statements. An LEA may use the same assessments and/or tools for the full and individual evaluation (FIE) and HB 548, but the consent for testing is separate and is not contingent on one another.

## Assessment

### 3. Will DHH students on Section 504 plans need to be assessed?

Students served under Section 504 plans will not be assessed as part of this data collection. Any time there are concerns about a child's progress, there should be discussions with the educational team about whether assessment data is needed for decision making.

### 4. What assessment or tools should be used?

A panel of experts in language acquisition and deaf education determined the appropriate language acquisition assessments and/or tools to be used for data collection. The [list of approved assessments and/or tools](#) can be found on the TEA Sensory Impairment webpage. The list will be reviewed annually by the panel.

### 5. Can we use assessments and/or tools that are not on the approved list for HB 548 Language Acquisition? **UPDATED August 6, 2021**

No, because in HB 548, "(b)... language acquisition of each child eight years of age or younger who is deaf or hard of hearing is regularly assessed using a tool or assessment determined to be valid and reliable as provided by Subsection (d)."

"Subsection (d) (2) the determination, in consultation with those experts, of the tools and assessments that are valid and reliable, in both content and administration, for use in assessing the language acquisition of children

eight years of age or younger who are deaf or hard of hearing." Therefore, only the approved assessments are the ones to be used for data collection under HB 548. Currently, there are only three categories of assessments that are approved to report for SELA core collection:

- Achievement
- Diagnostic
- Proficiency

**6. How do you define “specific language acquisition services?” UPDATED August 6, 2021**

HB 548 defines language acquisition as: “(3) "Language acquisition" includes expressive and receptive language acquisition and literacy development in English, American Sign Language, or both, or, if applicable, in another language primarily used by a child’s parent or guardian and is separate from any modality used to communicate in the applicable language or languages.”

TSDS SELA core collection includes the following reporting options for specific language acquisition services (E1662): direct or indirect/consultative. More than one service may be reported.

**7. What components should be assessed for HB 548 language acquisition? UPDATED August 6, 2021**

The two main components of language acquisition are receptive and expressive communication. The areas to assess for each component are outlined below:

Receptive Communication	Expressive Communication
<ul style="list-style-type: none"> <li>• Vocabulary</li> </ul>	<ul style="list-style-type: none"> <li>• Vocabulary</li> </ul>
<ul style="list-style-type: none"> <li>• Comprehension</li> </ul>	<ul style="list-style-type: none"> <li>• Production</li> </ul>
<ul style="list-style-type: none"> <li>• Basic concepts</li> </ul>	<ul style="list-style-type: none"> <li>• Basic concepts</li> </ul>

**8. Who shall conduct the evaluations for HB 548 Language Acquisition? UPDATED August 6, 2021**

Professionals who are providing language acquisition services, such as the teacher of students who are DHH or DB, the speech-language pathologist (SLP), the diagnostician, or the licensed specialist in school psychology (LSSP), will conduct the assessments as a team. Each assessment and/or tool specifies which professional has the credentials to administer the said assessment and/or tool. Please refer to the [“HB 548 Language Acquisition Assessments”](#) document for more specific information on who is qualified to administer an assessment and/or tool.

For students who are 0-2 of age, and families are receiving services with Early Childhood Intervention (ECI) in conjunction with the Regional Day School Program for the Deaf (RDSPD), the teacher of students who are DHH or DB will conduct the assessments and report the results to the LEA.

**9. Can we use FIE results instead of conducting additional evaluations?**

If the FIE was completed during the current school year and the assessments and/or tools are one of the approved assessments and/or tools for HB 548, then the LEA can use the FIE results if the parents give consent to assess for HB 548 Language Acquisition.

**10. How frequently should we assess students? UDPATED August 6, 2021**

HB 548 requires students to be assessed annually to assist in monitoring language acquisition skills over time. A

minimum of two assessments are recommended to be administered each year for the purpose of HB 548 Language Acquisition, to obtain a global picture of the student’s language acquisition in receptive and expressive communication.

**11. If a student turns 9 during the school year, do they still get assessed?**

Yes, all students who are 8 years or younger on September 1<sup>st</sup> will be assessed for HB 548 Language Acquisition during the school year.

**12. If we receive a new student in April, does this student still need to be assessed? UPDATED August 6, 2021**

Yes, the student will need to be assessed, and the last day to upload data for HB 548 in the SELA core collection is by the fourth Thursday of June.

If a student is a transfer from out of state, LEAs will have until the third Monday of May to obtain consent, administer the assessments and/or tools, and by the fourth Thursday of June report the data in TSDS SELA core collection. LEAs should complete this in good faith.

If a student is a transfer from another LEA in Texas, the receiving LEA should reach out to the previous LEA and confirm if they have completed and reported SELA core collection data.

- If the previous LEA has reported the data, then the receiving LEA does not need to report the data for the school year.
- If the previous LEA has not assessed and reported the data yet, then the receiving LEA will need to obtain consent, assess, and report for the current school year.
- If the previous LEA has already assessed, but has not reported the data, then it is the responsibility of the previous LEA to report the data for that student.

Each student will be assigned a unique ID number for tracking purposes and to minimize duplication, especially in a situation where the student moves in the middle of the year.

**13. If a student is bilingual and the LEA administers an assessment and/or tool in both languages, which scores shall be reported?**

Both scores can be reported; however, there will be nothing in the data that will distinguish the two scores. The highest score will be the score that is used for data analysis.

**14. How does TSDS SELA core collection define “eligibility effective date”? NEW August 6, 2021**

“Eligibility Effective Date” is defined as when the student was determined eligible for special education services for that specific disability. The date does not have to be based on the current school year. If the student has additional disabilities, those disabilities will be listed in TSDS SELA core collection and potentially have different eligibility effective dates.

## Assessment Results

**15. Where will the results be posted?**

An annual report that includes the data will be posted no later than August 31 of each year on the [TEA Sensory Impairment website](#) under State Guidance. A link to the report will be shared with the Texas Health and Human Services Commission (HHSC) and the Texas School for the Deaf (TSD) for posting on their respective websites.

The report will include general statewide findings on DHH and DB students' progress in language acquisition and potential recommendations for timely intervention.

**16. How will the results be used?**

HB 548 encourages families to have an open and ongoing communication about their child's language acquisition with their LEA. The SELA core collection data will allow for tracking growth and to determine the need for timely interventions and possible changes to the IEP. The data will not be used for accountability purposes.