

House Bill 652

By: Representatives Manning of the 32nd and Reece of the 11th

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 3 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to educational programs, so as to enact the 'Blind Persons' Braille
3 Literacy Rights and Education Act'; to provide definitions; to require Braille instruction in
4 the individualized education program of a student who is a blind or visually impaired child;
5 to provide requirements for the individualized education program; to provide requirements
6 for textbook publishers; to provide requirements relating to Braille for certain teachers; to
7 provide for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 3 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
11 relating to educational programs, is amended by adding a new Code section to read as
12 follows:

13 "20-2-152.1.

14 (a) This Code section may be cited as the 'Blind Persons' Braille Literacy Rights and
15 Education Act.'

16 (b) For purposes of this Code section, the term:

17 (1) 'Blind or visually impaired child' means an individual who is eligible for special
18 education services pursuant to Code Section 20-2-152 and the federal Individuals with
19 Disabilities Education Act, 20 U.S.C.A. Section 1400, et seq. and who:

20 (A) Has a visual acuity of 20/200 or less in the stronger eye with correcting lenses or
21 has a limited field of vision such that the widest diameter subtends an angular distance
22 of no greater than 20 degrees; or

23 (B) Has a medically indicated expectation of visual deterioration.

24 (2) 'Braille' means the system of reading and writing through touch commonly known
25 as standard English Braille.

1 (3) 'Individualized education program' and 'IEP team' have the meanings contained in
2 section 614(d) of the federal Individuals with Disabilities Education Act, 20 U.S.C.A.
3 Section 1414(d).

4 (4) 'Textbooks and other instructional materials' means any literary or nonliterary works
5 obtained for use in a course of study, including texts in electronic media.

6 (c) In developing the individualized education program for a student who is a blind or
7 visually impaired child, provision shall be made for instruction in Braille and the use of
8 Braille based on the outcome of an evaluation by a certified Braille teacher. Such
9 evaluation shall include the child's reading and writing skills, his or her specific needs, and
10 appropriate reading and writing media, and an evaluation of the child's future need for
11 instruction in Braille or the use of Braille. Nothing in this Code section shall be construed
12 to require the exclusive use of Braille if other special education services are appropriate to
13 the child's educational needs. The provision of other appropriate services shall not
14 preclude Braille use or instruction.

15 (d) The instruction in Braille reading and writing included in the individualized education
16 program shall be sufficient to enable each blind or visually impaired child to communicate
17 effectively and efficiently with the same level of proficiency expected of the child's peers
18 of comparable ability and grade level who communicate with print and pencil. The child's
19 individualized education program shall specify:

20 (1) The outcomes obtained from the evaluation required under subsection (c) of this
21 Code section;

22 (2) How Braille will be implemented as the primary mode for learning through
23 integration with other classroom activities;

24 (3) The date on which Braille instruction will commence;

25 (4) The length of the period of instruction and the frequency and duration of each
26 instructional session;

27 (5) The level of competency in Braille reading and writing to be achieved by the end of
28 the period and the objective assessment measures to be used; and

29 (6) If Braille is not included because other special education services are deemed more
30 appropriate to the child's educational needs, as determined pursuant to subsection (c) of
31 this Code section, then a statement shall be included that the decision was reached after
32 a review of pertinent literature describing the educational benefits of Braille instruction
33 and use and specifying the evidence used to determine that the child's ability to read and
34 write effectively without special education services is not impaired.

35 (e) All publishers of textbooks and other instructional materials sold to this state, including
36 postsecondary institutions, or to any local board of education shall be required to furnish
37 an electronic version in which the content is encoded in text suitable for conversion into

1 Braille and synthesized speech, which has been prepared using a markup language which
2 maintains the structural integrity of the information, and which can be processed by Braille
3 translation software.

4 (f) The Professional Standards Commission shall not issue or renew a license to teach
5 blind or visually impaired children unless the applicant demonstrates competence in
6 reading and writing Braille by maintaining current certification by the National Library
7 Service for the Blind and Physically Handicapped, Library of Congress, or by another
8 nationally recognized institution designed to measure competence in reading and writing
9 Braille, as determined by the commission."

10 **SECTION 2.**

11 All laws and parts of laws in conflict with this Act are repealed.