

House Bill 1282

By: Representatives Gilliard of the 162nd, Bruce of the 61st, Prince of the 127th, and Nelson of the 125th

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 in elementary and secondary education, so as
3 to enact the "Blind Persons' Braille Literacy Rights and Education Act"; to provide
4 definitions; to require an evaluation of a blind or visually impaired child to determine such
5 child's need for Braille instruction; to require Braille instruction in the individualized
6 education program of a blind or visually impaired student as appropriate; to provide
7 additional requirements for the individualized education program of a blind or visually
8 impaired student; for textbook publishers relating to electronic materials; to provide license
9 requirements relating to Braille for certain teachers; to provide for related matters; to repeal
10 conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Part 3 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
14 relating to educational programs in elementary and secondary education, is amended by
15 adding a new Code section to read as follows:

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16 "20-2-152.3.

17 (a) This Code section shall be known and may be cited as the 'Blind Persons' Braille
18 Literacy Rights and Education Act.'

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

20 (1) 'Blind or visually impaired child' means a child or youth who:

21 (A) Is eligible for special education services pursuant to Code Section 20-2-152 and
22 the federal Individuals with Disabilities Education Act, 20 U.S.C. Section 1400, et seq.;
23 and

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

27 (ii) Has a medically indicated expectation of visual deterioration.

28 (2) 'Braille' means the system of reading and writing through touch commonly known
29 as standard English Braille or Unified English Braille Code.

30 (3) 'Individualized education program' or 'IEP' shall have the same meaning as provided
31 in section 614(d) of the federal Individuals with Disabilities Education Act, 20 U.S.C.
32 Section 1414(d).

33 (4) 'NIMAC' means the National Instructional Materials Access Center.

34 (5) 'NIMAS' means the National Instructional Materials Accessibility Standard.

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

37 (c) In developing the individualized education program for a student who is a blind or
38 visually impaired child, provision shall be made for instruction in Braille and the use of
39 Braille based on the outcome of an evaluation by a teacher certified by the Professional
40 Standards Commission as a special education visual impairments program teacher. Such
41 evaluation shall include the child's reading and writing skills, his or her specific needs, and
42 appropriate reading and writing media and an evaluation of the child's future need for

43 instruction in Braille or the use of Braille. Nothing in this Code section shall be construed
44 to require the use of Braille if other special education services are appropriate to the blind
45 or visually impaired child's educational needs. The provision of other appropriate services
46 shall not preclude Braille use or instruction.

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

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

54 (2) How Braille will be implemented as the primary mode for learning through
55 integration with other classroom activities unless other special education services are
56 appropriate to the child's educational needs;

57 (3) The date on which Braille instruction will commence unless other special education
58 services are appropriate to the child's educational needs;

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

61 (5) For those children for whom Braille instruction is not indicated, the IEP shall include
62 a statement that the absence of Braille instruction will not impair the child's ability to read
63 and write effectively.

64 (e) All publishers of textbooks and other instructional materials sold to any local board of
65 education in this state shall be required to furnish an electronic version in NIMAS format
66 to NIMAC.

67 (f) On and after July 1, 2022, the Professional Standards Commission shall not issue or
68 renew a license to teach academic instruction to blind or visually impaired children unless
69 the educator has, as part of his or her standard renewal requirements:

- 70 (1) Completed a course in the teaching of Braille approved by the commission;
71 (2) Demonstrated competence in reading and writing Braille by holding a nationally
72 recognized certificate in Braille approved by the commission; or
73 (3) Passed a test in Braille approved by the commission."

74 **SECTION 2.**

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