

House Bill 1099

By: Representatives Flournoy of the 74<sup>th</sup>, Reese of the 140<sup>th</sup>, Howard of the 129<sup>th</sup>, Adeyina of the 110<sup>th</sup>, and Dawson of the 65<sup>th</sup>

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 student to determine such  
5 student'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; to provide requirements for textbook publishers relating to electronic  
9 materials; to provide license requirements relating to Braille for certain teachers; to provide  
10 for related matters; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **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:

H. B. 1099

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) As used in this Code section, the term:

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

23 (A) Has a visual acuity of 20/200 or less in the stronger eye with correcting lenses;

24 (B) Has a limited field of vision such that the widest diameter subtends an angular  
25 distance of no greater than 20 degrees; or

26 (C) Has a medically indicated expectation of visual deterioration.

27 (2) 'Braille' means the system of reading and writing through touch and includes what  
28 is commonly known as standard English Braille or Unified English Braille Code and the  
29 Nemeth Code for Mathematics and Science Notation.

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

35 (c) Public schools in this state shall be authorized to provide Braille instruction for blind  
36 or visually impaired students.

37 (d) In developing the Individualized Education Program for a blind or visually impaired  
38 student, provisions shall be made for instruction in Braille and the use of Braille except  
39 when the student's IEP team expressly determines that such instruction is not appropriate  
40 for the student based on the outcome of an evaluation of the student's current reading and  
41 writing skills and specific needs using appropriate reading and writing media and of the  
42 student's need for instruction in Braille or the use of Braille, as provided in paragraph (6)

43 of subsection (e) of this Code section. Such evaluation shall be conducted by a teacher  
44 with a special education visual impairment endorsement from the Professional Standards  
45 Commission. Nothing in this Code section shall be construed to require instruction in  
46 Braille or the use of Braille if other special education services are appropriate to the blind  
47 or visually impaired student's educational needs. The provision of other appropriate  
48 services shall not preclude instruction in Braille or the use of Braille.

49 (e) The instruction in Braille reading and writing included in a blind or visually impaired  
50 student's Individualized Education Program shall be sufficient to enable such student to  
51 communicate effectively and efficiently with the same level of proficiency expected of the  
52 student's peers of comparable ability and grade level. Each such Individualized Education  
53 Program shall include:

54 (1) The outcomes obtained from the evaluation required under subsection (d) of this  
55 Code section;

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

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

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

63 (5) The level of competency in Braille reading and writing to be achieved by the student  
64 by the end of a designated period of time and the objective assessment measures to be  
65 used to determine the level of competency; and

66 (6) For each blind or visually impaired student for whom Braille instruction is not  
67 indicated following the evaluation required in subsection (d) of this Code section:

68 (A) A statement that the decision by such student's IEP team to not include Braille  
69 instruction in his or her Individualized Education Program was reached after a review

70 of currently relevant literature addressing the use of Braille instruction with blind or  
71 visually impaired students;

72 (B) A statement that the absence of Braille instruction will not impair such student's  
73 ability to read and write effectively; and

74 (C) A statement of the evidence relied upon by the IEP team to determine that such  
75 student's ability to read and write effectively without Braille instruction will not be  
76 impaired.

77 (f) No local board of education or other public school governing body shall purchase a  
78 textbook or other instructional materials unless such textbook or other instructional  
79 materials includes an electronic version in which the content is encoded in text suitable for  
80 conversion into Braille or synthesized speech and has been prepared using a markup  
81 language which maintains the formatting of the information and can be processed by  
82 Braille translation software.

83 (g) On and after July 1, 2026, the Professional Standards Commission shall not issue or  
84 renew a special education visual impairment endorsement unless the educator has, as part  
85 of his or her standard renewal requirements:

86 (1) Completed a course in Braille instruction approved by the commission;

87 (2) Demonstrated competence in reading and writing Braille by holding a nationally  
88 recognized certificate in Braille approved by the commission; or

89 (3) Passed a test in Braille approved by the commission."

90 **SECTION 2.**

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