A Bill

For An Act To Be Entitled

"AN ACT TO REQUIRE A YEARLY ASSESSMENT OF VISUALLY IMPAIRED STUDENTS; TO REQUIRE TEXTBOOK PUBLISHERS TO FURNISH ELECTRONIC MEDIA FOR TRANSLATION OF TEXTBOOKS INTO BRAILLE; TO REQUIRE BRAILLE INSTRUCTION; AND FOR OTHER PURPOSES."

Subtitle

"TO IMPROVE EDUCATIONAL SERVICES FOR VISUALLY IMPAIRED STUDENTS."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. The General Assembly finds that proficiency in braille reading and writing is essential for the satisfactory educational progress of visually impaired students and that braille instruction must be used in combination with other special education services that are appropriate to the educational needs of visually impaired students; therefore, it is hereby declared to be the policy of this state to provide and to require school districts to provide all visually impaired students who are enrolled in Arkansas public schools and whose education is adversely affected by their visual disability with an equal opportunity for appropriate instruction.

Appropriate instruction shall be designed to enable each visually impaired student to communicate with the same level of proficiency as other students of comparable ability at the same grade level.

SECTION 2. As used in this act:

(1) "Compliance citation" means a citation issued by the Department of Education which documents a school_s failure to comply with state education laws.
(2) "Department" means the Arkansas Department of Education.

(3) "Individual education plan" means the evaluation of a handicapped child's educational needs conducted pursuant to Arkansas Code 6-41-217.

SECTION 3. (a) Each school district shall insure that, at least once a year, a certified teacher of the visually impaired or other qualified person as determined by the Department of Education conducts an assessment of the educational progress of each visually impaired student identified as having or suspected of having a disability pursuant to Arkansas Code Annotated 6-41-202, et seq. enrolled in that school district. The assessment shall:

(1) Address the student's need for braille instruction, using procedures developed by the Department, and specify the learning medium most appropriate for the student's educational progress;

(2) Identify the student's strengths and weaknesses in braille skills, when that medium is used for instruction; and

(3) Identify appropriate and necessary related services and technologies for use in combination with braille instruction.

(b) The results of the assessment shall be used to develop the student's individual educational plan.

SECTION 4. (a) Each student who needs braille reading and writing instruction shall receive instruction from either a certified teacher of the visually impaired or a person who is qualified in braille instruction as determined by the department.

(b) The department shall no later than July 1, 1995 establish requirements to become qualified in braille instruction.

SECTION 5. By July 1, 1995, the department shall develop procedures to determine when a visually impaired student needs braille instruction.

SECTION 6. (a) The department shall have the authority to require publishers of textbooks to furnish electronic media for the text portion of those textbooks required by visually impaired students. The electronic media shall be immediately capable of being electronically translated into braille or large print by computer or other electronic media. When braille code
translation allows, publishers shall furnish electronic media for the non-
textual portion of textbooks.

(b) The department shall no later than July 1, 1994 have made all
necessary arrangements for obtaining, producing, and distributing textbooks in
braille or large print from electronic media obtained from textbook publishers
as described in this act.

SECTION 7. Failure of a school district to come into compliance with
the provisions of this act shall be grounds for a compliance citation from the
department.

SECTION 8. All provisions of this act of a general and permanent nature
are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
Revision Commission shall incorporate the same in the Code.

SECTION 9. If any provision of this act or the application thereof to
any person or circumstance is held invalid, such invalidity shall not affect
other provisions or applications of the act which can be given effect without
the invalid provision or application, and to this end the provisions of this
act are declared to be severable.

SECTION 10. All laws and parts of laws in conflict with this act are
hereby repealed.

/s/ Senator Snyder

APPROVED: 03/12/93