

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 711, Page 6, Section 161.1055, Line 89,
2 by inserting after all of said section and line the following:

3
4 "167.225. 1. As used in this section, the following terms mean:

5 (1) ["Blind persons", individuals who:

6 (a) Have a visual acuity of 20/200 or less in the better eye with conventional correction, or
7 have a limited field of vision such that the widest diameter of the visual field subtends an angular
8 distance not greater than twenty degrees; or

9 (b) Have a reasonable expectation of visual deterioration; or

10 (c) Cannot read printed material at a competitive rate of speed and with facility due to lack
11 of visual acuity] "Assessment", the National Reading Media Assessment or another research-based
12 assessment or series of research-based assessments authorized under the Individuals with
13 Disabilities Education Act that determines a student's reading and writing skills, needs, and
14 appropriate reading and writing media and addresses the student's academic and functional
15 strengths, deficits, as well as the student's current and future educational needs;

16 (2) "Braille", the system of reading and writing through touch [commonly known as
17 standard English Braille];

18 (3) "Student", any student who [is blind or any student eligible for special education
19 services for visually impaired as defined in P.L. 94-142] is eligible for special education services
20 under the Individuals with Disabilities Education Act and who:

21 (a) Has an impairment in vision that, even with correction, adversely affects a child's
22 educational performance;

23 (b) Has a reasonable expectation of visual deterioration; or

24 (c) Cannot read printed material at a competitive rate of speed and with facility due to lack
25 of visual acuity or field.

26 2. All students [may] shall receive instruction in Braille reading and writing as part of their
27 individualized education plan unless, as a result of an assessment, instruction in Braille or the use of
28 Braille is determined not appropriate for the student. No student shall be denied the opportunity of
29 instruction in Braille reading and writing solely because the student has some remaining vision.

30 3. Instruction in Braille reading and writing shall be sufficient to enable each student to
31 communicate effectively and efficiently at a level commensurate with his sighted peers of
32 comparable grade level and intellectual functioning. The student's individualized education plan
33 shall specify:

34 (1) How Braille will be implemented as the primary mode for learning through integration
35 with normal classroom activities. If Braille will not be provided to a child who is blind, the reason
36 for not incorporating it in the individualized education plan shall be documented therein;

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

- 1 (2) The date on which Braille instruction will commence;
2 (3) The level of competency in Braille reading and writing to be achieved by the end of the
3 period covered by the individualized education plan; and
4 (4) The duration of each session.

5 4. As part of the certification process, teachers certified in the education of blind and
6 visually impaired children shall be required to demonstrate competence in reading and writing
7 Braille. The department of elementary and secondary education shall adopt assessment procedures
8 to assess such competencies which are consistent with standards adopted by the National Library
9 Service for the Blind and Physically Handicapped, Library of Congress, Washington, D. C.

10 5. Under the Individuals with Disabilities Education Act or sections 162.959 to 162.963,
11 parents of students as defined under subdivision (3) of subsection 1 of section 167.255 shall have
12 the right to:

13 (1) An independent evaluation at public expense for any agency evaluation, including the
14 assessment established under subdivision (1) of subsection 1 of section 167.225;

15 (2) Mediation to allow parents and schools to resolve disagreements involving the IEP teams
16 determination of the need for Braille instruction;

17 (3) File a due process complaint with the department of elementary and secondary education
18 concerning the proposed action of the agency regarding provision of Braille instruction or any other
19 matter related to the provision of a free appropriate public education to the student which will be
20 forwarded to the Administrative Hearing Commission for an impartial hearing; and

21 (4) A resolution meeting convened by the school with the parent and the relevant members
22 of the IEP team who have specific knowledge of the facts identified in the due process complaint to
23 discuss the due process complaint and the facts that form the basis of the complaint so that the
24 school and parent have the opportunity to resolve the dispute."; and
25

26 Further amend said bill by amending the title, enacting clause, and intersectional references
27 accordingly.