

# HOUSE BILL REPORT

## HB 1078

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### As Reported By House Committee On:

Education

**Title:** An act relating to the instruction in Braille reading and writing to blind students.

**Brief Description:** Changing provisions relating to instruction in Braille.

**Sponsors:** Representatives Ogden, Carlson, Casada, Cole, Quall, Benton, Pennington, Thibaudeau, Cooke, Boldt and Huff.

### Brief History:

#### Committee Activity:

Education: 1/27/95, 2/16/95 [DPS].

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 17 members: Representatives Brumsickle, Chairman; Elliot, Vice Chairman; Johnson, Vice Chairman; Cole, Ranking Minority Member; Poulsen, Assistant Ranking Minority Member; Clements; Dickerson; G. Fisher; Hatfield; McMahan; Quall; Radcliff; Smith; Talcott; B. Thomas; Thompson and Veloria.

**Minority Report:** Do not pass. Signed by 1 member: Representative Fuhrman.

**Staff:** Robert Butts (786-7111).

**Background:** The Federal Individuals with Disabilities Education Act requires that states accepting federal funds provide a free and appropriate public education for all handicapped children in the least restrictive environment. The federal law requires that related services be provided if the services are needed to help a handicapped child benefit from special education. Handicapped children in Washington must have the opportunity for an appropriate education under state law, federal law, and the Washington State Constitution.

An individual education program must be developed for all special education students. Instruction in Braille is provided only for visually impaired or blind students if such instruction is required in the student's individual education program.

**Summary of Substitute Bill:** The Legislature finds that literacy in Braille is essential for blind and visually impaired persons, and that there shall be a presumption that proficiency in reading and writing Braille is essential for the educational progress of these students. The Legislature also finds that instruction in Braille shall be sufficient to enable each student to communicate effectively and efficiently at a level commensurate with such student's sighted peers of comparable grade level and ability.

Legally blind and visually impaired students may receive instruction in Braille reading and writing as part of their individualized education program (IEP). Each student who is blind shall be assessed to determine the most appropriate learning media, including, but not limited to, Braille. No student may be denied the opportunity for instruction in Braille reading and writing solely because the student has some remaining vision.

If Braille is to be part of the student's IEP, the IEP shall specify:

- (1) How Braille will be implemented through integration with normal classroom activities;
- (2) The date on which Braille instruction will commence;
- (3) The level of competency in Braille reading and writing to be achieved; and
- (4) The duration of each session of Braille instruction.

If Braille is not to be provided to a child who is legally blind or visually impaired, the reason for not providing the instruction must be documented.

A committee is to be formed to assist the State Board of Education in determining teacher competencies in Braille instruction. The composition of the committee is specified. The competencies are to be adopted by August 31, 1997.

Effective September 1, 1998, a school district may only assign a teacher responsibility for teaching Braille if the teacher has demonstrated competency in Braille. School districts may hire non-certificated teachers to teach Braille if the individual has demonstrated competency in Braille.

**Substitute Bill Compared to Original Bill:** The presumption that Braille is essential for educational progress was moved to the intent section. A deadline for development of teacher competencies for Braille was added. School districts were given authority to hire non-certificated individuals to teach Braille. A number of technical changes were made.

**Appropriation:** None.

**Fiscal Note:** Requested on January 18, 1995.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Braille is essential for blind and visually impaired individuals. 70 percent of the blind are under or unemployed. Of those who are employed, 70 percent read Braille. There are no substitutes for Braille. Imagine a world with no written language. Too many school districts are not providing Braille to students who need it.

**Testimony Against:** None.

**Testified:** Representative Don Carlson; Pauline Krauss; Gary Mackenstad, Denise Mackenstad, Susan Prows, National Federation of the Blind parent group; Bill Sellers, Assembly of Washington; Frank Cuta, United Blind of Tri-Cities; Cherie Tessier, People First of Washington; Sharon Keeran, Washington Council of the Blind; Sue Ammeter, Governor's Committee on Disability Issues; Kathleen Anderson, State Board of Education; and Dean Stenehjem, School for the Blind.