

3/23/93 House - Education
4/7/93 House - Do Pass
MAR 10 1993

SENATE FILE 254
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 50)

(P.724)
Passed Senate, Date 3-19-93 Passed House, (P.1482) Date 4/21/93
Vote: Ayes 42 Nays 0 Vote: Ayes 99 Nays 6
Approved April 28, 1993

A BILL FOR

1 An Act to broaden the definition of children requiring special
2 education to include children who retain some sight but who
3 have a medically diagnosed expectation of visual deterioration
4 and to provide for related matters.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

SF 254

1 Section 1. Section 256.7, Code 1993, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 24. Adopt rules that include children who
4 retain some sight but who have a medically diagnosed
5 expectation of visual deterioration within the definition of
6 children requiring special education pursuant to section
7 256B.2, subsection 1. Rules adopted pursuant to this
8 subsection shall provide for or include, but are not limited
9 to, the following:

10 a. A presumption that proficiency in braille reading and
11 writing is essential for satisfactory educational progress for
12 a visually impaired student who is not able to communicate in
13 print with the same level of proficiency as a student of
14 otherwise comparable ability at the same grade level. This
15 presumption includes a student as defined in paragraph "b". A
16 student for whom braille services are appropriate, as defined
17 in this subsection, is entitled to instruction in braille
18 reading and writing that is sufficient to enable the pupil to
19 communicate with the same level of proficiency as a pupil of
20 otherwise comparable ability at the same grade level.

21 b. A pupil who retains some sight but who has a medically
22 diagnosed expectation of visual deterioration in adolescence
23 or early adulthood may qualify for instruction in braille
24 reading and writing.

25 c. Instruction in braille reading and writing may be used
26 in combination with other special education services
27 appropriate to a pupil's educational needs.

28 d. The annual review of a pupil's individual education
29 plan shall include discussion of instruction in braille
30 reading and writing and a written explanation of the reasons
31 why the pupil is using a given reading and writing medium or
32 media. If the reasons have not changed since the previous
33 year, the written explanation for the current year may refer
34 to the fuller explanation from the previous year.

35 e. A pupil as defined in paragraph "b" whose primary

1 learning medium is expected to change may begin instruction in
2 the new medium before it is the only medium the pupil can
3 effectively use.

4 f. A pupil who receives instruction in braille reading and
5 writing pursuant to this subsection shall be taught by a
6 teacher licensed to teach students with visual impairments.

7 Sec. 2. Section 301.10, Code 1993, is amended by striking
8 the section and inserting in lieu thereof the following:

9 301.10 TEXTBOOK SUPPLIERS.

10 A person or firm desiring to furnish books or supplies
11 under this chapter shall do all of the following:

12 1. At or before the time of filing a bid, make available
13 samples of all textbooks included in the bid, accompanied by
14 lists giving the lowest wholesale and contract prices for the
15 textbooks.

16 2. If requested by the department of education, make
17 available a machine-readable version of a textbook purchased
18 by a school district to the department in the best available
19 format for electronic braille translation.

20 Sec. 3. The department of education shall prepare and
21 distribute information describing the benefits of instruction
22 in braille reading and writing to a person assisting in the
23 development of an individualized education plan of a pupil
24 with vision impairment, including appendix E to the guidelines
25 for programs serving pupils with visual impairments published
26 by the bureau of special education of the department.

27 EXPLANATION

28 This bill directs the state board of education to include
29 children who retain some sight but who have a medically
30 diagnosed expectation of visual deterioration within the
31 definition of children requiring special education. The rules
32 adopted by the board under this bill are to include a
33 presumption that proficiency in braille reading and writing is
34 essential for the educational progress for a visually impaired
35 student who is not able to communicate in print with the same

1 level of proficiency as a student of otherwise comparable
2 ability at the same grade level; a provision that children who
3 have a medically diagnosed expectation of visual deterioration
4 may qualify for braille instruction; and provision for the
5 child to begin instruction in the new learning medium before
6 it is the only medium the student can use.

7 The bill includes a provision that instruction in braille
8 be provided by a teacher certified to teach students with
9 visual impairments.

10 The bill requires a textbook supplier, at the request of
11 the department of education, to provide a machine-readable
12 version of a textbook purchased by a school district in Iowa
13 in the best available format for electronic braille
14 translation.

15 The department is required to prepare and distribute
16 information describing the benefits of braille instruction to
17 a person assisting in the development of a pupil's
18 individualized education plan.

19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SENATE FILE 254
FISCAL NOTE

A fiscal note for Senate File 254 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 254 broadens the definition of children requiring special education to include children who retain some sight but who have a medically diagnosed expectation of visual deterioration.

ASSUMPTIONS:

1. That the requirement for serving those medically diagnosed to become blind is currently being met.
2. The requirement for annual reevaluation is currently being met.
3. The requirement for a licensed teacher to teach braille is in the Administrative Rules.
4. That most textbook companies will have the capacity to translate computer language directly to braille.
5. That the population identified in this bill will be 10 to 20 students and that most are being served appropriately.

FISCAL IMPACT:

Senate File 254 is estimated to have a fiscal impact of less than \$100,000 per year.

SOURCE: Department of Education

(LSB 1546sv, BDH)

FILED APRIL 8, 1993

BY DENNIS PROUTY, FISCAL DIRECTOR

SENATE FILE 254

AN ACT

TO BROADEN THE DEFINITION OF CHILDREN REQUIRING SPECIAL EDUCATION TO INCLUDE CHILDREN WHO RETAIN SOME SIGHT BUT WHO HAVE A MEDICALLY DIAGNOSED EXPECTATION OF VISUAL DETERIORATION AND TO PROVIDE FOR RELATED MATTERS.

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

Section 1. Section 256.7, Code 1993, is amended by adding the following new subsection:

NEW SUBSECTION. 24. Adopt rules that include children who retain some sight but who have a medically diagnosed expectation of visual deterioration within the definition of children requiring special education pursuant to section 256B.2, subsection 1. Rules adopted pursuant to this subsection shall provide for or include, but are not limited to, the following:

a. A presumption that proficiency in braille reading and writing is essential for satisfactory educational progress for a visually impaired student who is not able to communicate in print with the same level of proficiency as a student of otherwise comparable ability at the same grade level. This presumption includes a student as defined in paragraph "b". A student for whom braille services are appropriate, as defined in this subsection, is entitled to instruction in braille reading and writing that is sufficient to enable the pupil to communicate with the same level of proficiency as a pupil of otherwise comparable ability at the same grade level.

b. A pupil who retains some sight but who has a medically diagnosed expectation of visual deterioration in adolescence or early adulthood may qualify for instruction in braille reading and writing.

c. Instruction in braille reading and writing may be used in combination with other special education services appropriate to a pupil's educational needs.

d. The annual review of a pupil's individual education plan shall include discussion of instruction in braille reading and writing and a written explanation of the reasons why the pupil is using a given reading and writing medium or media. If the reasons have not changed since the previous year, the written explanation for the current year may refer to the fuller explanation from the previous year.

e. A pupil as defined in paragraph "b" whose primary learning medium is expected to change may begin instruction in the new medium before it is the only medium the pupil can effectively use.

f. A pupil who receives instruction in braille reading and writing pursuant to this subsection shall be taught by a teacher licensed to teach students with visual impairments.

Sec. 2. Section 301.10, Code 1993, is amended by striking the section and inserting in lieu thereof the following:

301.10 TEXTBOOK SUPPLIERS.

A person or firm desiring to furnish books or supplies under this chapter shall do all of the following:

1. At or before the time of filing a bid, make available samples of all textbooks included in the bid, accompanied by lists giving the lowest wholesale and contract prices for the textbooks.

2. If requested by the department of education, make available a machine-readable version of a textbook purchased by a school district to the department in the best available format for electronic braille translation.

Sec. 3. The department of education shall prepare and distribute information describing the benefits of instruction in braille reading and writing to a person assisting in the development of an individualized education plan of a pupil with vision impairment, including appendix E to the guidelines

for programs serving pupils with visual impairments published by the bureau of special education of the department.

LEONARD L. BOSWELL
President of the Senate

HAROLD VAN MAANEN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 254, Seventy-fifth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 28, 1993

TERRY E. BRANSTAD
Governor