AN ACT

To enact R.S. 17:1960.1, relative to students with disabilities; relative to public school governing authorities; relative to certain publicly funded programs; to create the Blind and Visually Impaired Child's Bill of Rights; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1960.1 is hereby enacted to read as follows:

§1960.1. The Blind and Visually Impaired Child's Bill of Rights; legislative recognition

A. The legislature recognizes that children who are blind, visually impaired, or deaf-blind who utilize alternative methods of communication have the same inalienable right to become as independent and self-actualizing as children who are not blind, visually impaired, or deaf-blind. To realize this potential, the legislature recognizes the Blind and Visually Impaired Child's Bill of Rights.

B. Public schools and all publicly funded programs, including early education intervention programs, that serve children with blindness, visual impairments, and deaf-blindness shall:

(1) Provide children who are blind, visually impaired, or deaf-blind, including those with multiple disabilities, appropriate screening and assessment of functional vision and learning media to determine appropriate services needed following the initial clinical eye exam.

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(2) Inform, teach, and assess children who are blind, visually impaired, or deaf-blind relative to the body of knowledge and skills unique to students with blindness, visual impairment, and deaf-blindness including but not limited to the following:

(a) Compensatory skills.
(b) Access to reading and writing in the form of braille, large print, and tactile graphics or symbols.
(c) Orientation and mobility skills.
(d) Social interaction skills.
(e) Independent living skills.
(f) Recreation and leisure skills.
(g) Career education.
(h) Assistive technology.
(i) Sensory efficiency skills.
(j) Self-determination.

(3) Provide instruction by teachers qualified to teach blind students and access to braille materials and textbooks and assistive technology.

(4) Teach orientation and mobility skills at the earliest possible age to blind, visually impaired, or deaf-blind students and continuously throughout their education.

(5) Inform the parents or legal guardians of students who are blind, visually impaired, or deaf-blind of all State Board of Elementary and Secondary Education policies and regulations relative to placement considerations and options available to them and provide opportunities to parents and legal guardians to fully participate in the development and implementation of their child's Individualized Education Program and Section 504 Plan.

(6) Ensure each Individualized Education Program team:

(a) Provides for braille instruction and assistive technologies for students who qualify for such resources.
(b) Includes a communication plan in the Individualized Education Program for each student that incorporates the student and his parents or legal guardians.

c) Includes a communication plan in each Individual Accommodation Plan.

(7) Employ and train qualified resource personnel who are able to communicate effectively and proficiently with each student in his modes of communication.

(8) Provide full support services by qualified professionals. The state Department of Education shall collaborate with public school governing authorities and education programs to ensure that braille materials and technical assistance are available to support schools and programs in meeting the needs of students who are blind, visually impaired, and deaf-blind.

(9) Provide students who are blind, visually impaired, or deaf-blind full access to all programs in their educational settings.

(10) Place students who are blind, visually impaired, or deaf-blind in a classroom setting that is best suited to each student's individual needs, including but not limited to social, emotional, and cultural needs, with consideration for the student's degree and type of vision and hearing loss, academic level, modes of communication, and learning style.

(11) Provide students who are blind, visually impaired, or deaf-blind with free, appropriate education across a full spectrum of educational programs and activities.

(12) Provide students who are blind, visually impaired, or deaf-blind with comprehensive academics, opportunities, and activities to meet and associate with their peers in the school environment and during school-sponsored activities and events to achieve a well-rounded education.

(13) Treat blind, visually impaired, or deaf-blind students as equal, active, and contributing members of their communities, classrooms, and schools or programs.
C. Nothing in this Section shall be construed to create a right of action that
is not currently provided for in present law on behalf of an individual student or a
class of students for the failure of a particular public school or publicly funded
program to comply with any provision of this Section or to prevent the parent or
legal guardian of a student from filing a complaint as provided for by law.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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