

2022 Regular Session

HOUSE BILL NO. 315

BY REPRESENTATIVE TURNER

EDUCATION/SPECIAL: Provides for the Blind and Visually Impaired Student's Bill of Rights

1 AN ACT

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

6 Be it enacted by the Legislature of Louisiana:

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

8 §1960.1. The Blind and Visually Impaired Child's Bill of Rights; legislative  
9 recognition

10 A. The legislature recognizes that children who are blind, visually impaired,  
11 or deaf-blind who utilize alternative methods of communication have the same  
12 inalienable right to become as independent and self-actualizing as children who are  
13 not blind, visually impaired, or deaf-blind. To realize this potential, the legislature  
14 recognizes the Blind and Visually Impaired Child's Bill of Rights as follows. Public  
15 schools and all publicly funded programs, including early education intervention  
16 programs, that serve children with blindness, visual impairments, and deaf-blindness  
17 shall:

18 (1) Provide children who are blind, visually impaired, or deaf-blind,  
19 including those with multiple disabilities, appropriate screening and assessment of

1 functional vision and learning media to determine appropriate services needed  
2 following the initial clinical eye exam.

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

7 (a) Compensatory skills.

8 (b) Access to reading and writing in the form of braille, large print, and  
9 tactile graphics or symbols.

10 (c) Orientation and mobility.

11 (d) Social interaction skills

12 (e) Independent living skills.

13 (f) Recreation and leisure skills.

14 (g) Career education.

15 (h) Assistive technology.

16 (i) Sensory efficiency skills.

17 (j) Self-determination.

18 (3) Provide instruction by teachers qualified to teach blind students and  
19 access to braille materials and textbooks and assistive technology. Blind, visually  
20 impaired, and deaf-blind students have the right to be taught orientation and mobility  
21 skills at the earliest possible age and to continue to be taught these skills throughout  
22 their education.

23 (4) Inform parents of students who are blind, visually impaired, or deaf-blind  
24 of all State Board of Elementary and Secondary Education policies and regulations  
25 relative to placement considerations and options available to them and provide  
26 opportunities to parents and legal guardians to fully participate in the development  
27 and implementation of their child's Individualized Education Program and Section  
28 504 Plan.

1           (5) Include a student and his parents or legal guardians in the communication  
2           plan for the student's Individualized Education Program. Public schools and publicly  
3           funded programs shall include a communication plan in the Individual  
4           Accommodation Plan for a student who is blind, visually impaired, or deaf-blind.  
5           The Individualized Education Program team shall provide for braille instruction and  
6           assistive technologies for students who qualify for such resources.

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

10           (7) Provide full support services by qualified professionals. The state  
11           Department of Education shall collaborate with public school governing authorities  
12           and education programs to ensure that braille materials and technical assistance are  
13           available to support schools and programs in meeting the needs of students who are  
14           blind, visually impaired, and deaf-blind. Public schools and publicly funded  
15           programs shall provide such students with full access to all programs and activities  
16           in their educational settings.

17           (8) Place a student who is blind, visually impaired, or deaf-blind in a  
18           classroom setting that is best suited to his individual needs, including but not limited  
19           to social, emotional, and cultural needs, with consideration for the student's degree  
20           and type of vision or hearing loss, academic level, modes of communication, and  
21           learning style. Public schools and publicly funded programs shall provide individual  
22           considerations for free, appropriate education across a full spectrum of educational  
23           programs and activities.

24           (9) Provide students who are blind, visually impaired, or deaf-blind with  
25           comprehensive academics, opportunities, and activities to meet and associate with  
26           their peers in the school environment and during school-sponsored activities and  
27           events to achieve a well-rounded education. Staff of public schools and publicly  
28           funded programs shall treat such students as equal, active, and contributing members  
29           of their communities, classrooms, and schools or programs.

1           B. Nothing in this Section shall be construed to create a right of action that  
2           is not currently provided for in present law on behalf of an individual student or a  
3           class of students for the failure of a particular public school or publicly funded  
4           program to comply with any provision of this Section or to prevent the parent or  
5           legal guardian of a student from filing a complaint as provided for by law.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 315 Engrossed

2022 Regular Session

Turner

**Abstract:** Requires public schools and certain publicly funded programs to provide certain accommodations to certain students and their parents and guardians.

Proposed law establishes the Blind and Visually Impaired Student's Bill of Rights.

Provides these rights necessitate certain requirements of schools and programs attended by students who are blind, visually impaired, and deaf-blind, including:

- (1) Foster an educational environment where such students are treated as equal, active, and contributing members of their classrooms and communities.
- (2) Employ and train qualified personnel and equip them with braille materials and textbooks and assistive technology for their students.
- (3) Provide opportunities for parents and guardians to participate in the development of their child's Individualized Education Plan and Section 504 Plan.
- (4) Communicate with parents and guardians relative to their child's Individualized Education Program.

(Adds R.S. 17:1960.1)