

SENATE BILL NO. 176

BY SENATOR FIELDS

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AN ACT

To amend and reenact R.S. 17:1982(1) and (3) and 1983, relative to the Blind Persons' Literacy Rights and Education Act; to provide for definitions; to provide relative to individualized assessment, planning, and supports; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:1982(1) and (3) and 1983 are hereby amended and reenacted to read as follows:

§1982. Definitions

As used in this Part, the following words, terms, and phrases shall have the meanings ascribed to them in this Section as follows:

(1) "Blind student" means an individual who is ~~eligible for special education services and who~~ **identified by a functional vision assessment as having vision loss which interferes with the ability to perform academically and which requires the use of specialized textbooks, techniques, materials, or equipment to access the same academic content as the student's sighted peers or who has one of the following:**

(a) ~~Has a~~ **A** visual acuity of ~~20/200~~ **20/70** or less, **near acuity** in the better eye with correcting lenses, **or both**, or has a limited field of vision such that the widest diameter subtends an angular distance of no greater than twenty degrees.

(b) ~~Has a medically indicated expectation of visual deterioration~~ **A progressive loss of vision which may in the future affect the student's ability to learn.**

(c) **Other blindness resulting from a medically documented condition that could include bilateral dysfunction of the optic radiations, the visual cortex, or both. This may coexist with ocular and ocular motor disorders and may be**

1 the result of perinatal brain dysfunction or trauma.

2 * * *

3 (3) "Functional vision assessment" is an organized plan for observing how
4 a student uses vision to perform routine tasks within the educational environment
5 and assesses whether a visual impairment is interfering with the ~~learning process~~
6 student's ability to access educational content.

7 * * *

8 §1983. Individualized ~~planning and assessment~~ assessments, planning, and
9 supports

10 A. Each blind student has the right to individualized assessments,
11 planning, and supports to assist the student in accessing his educational
12 environment to his fullest ability. Such assessments, plans, and supports shall
13 be provided through highly trained and qualified professionals and teachers
14 who have the appropriate education, certifications, and competencies for
15 working with the blind.

16 B. The assessment required for each ~~Each~~ blind student shall include a ~~a~~ be
17 assessed using each of the following:

18 (1)(a) A braille skills inventory, including a statement of strengths and
19 deficits along with commensurate with grade level literacy and math standards
20 pursuant to R.S. 17:24.4(A)(4). The inventory shall:

21 (i) Include a functional vision assessment for ~~students~~ a student with vision
22 in order to determine if braille instruction is needed for the student to achieve
23 satisfactory educational progress.

24 (ii) Provide a statement of the student's strengths and deficits.

25 (iii) Assess the student's future need for braille based on the student's eye
26 conditions, grade level competencies, and placement expectations.

27 (b) Braille instruction and use are not required by this Part if, in the course
28 of developing the student's individualized education program, the team concurs that
29 the student's visual impairment does not affect independent or future independent
30 reading and writing performance commensurate with ability.

1 (c) Nothing in this Part shall require the exclusive use of braille if other
2 special education services are appropriate to the student's educational needs.

3 (d) The ~~provisions~~ **provision** of other appropriate services shall not preclude
4 braille use or instruction.

5 **(2) A research-based learning media assessment to determine the most**
6 **appropriate reading medium for the student's current and future needs.**

7 **(3) If deemed necessary through the assessments provided in Paragraphs**
8 **(1) and (2) of this Subsection, a low vision assessment centered on how the**
9 **student uses his vision on a daily basis to determine if the student will benefit**
10 **from optical devices such as monocular telescopes or magnifiers. As**
11 **appropriate, visual acuity, visual fields, and color vision shall be assessed.**

12 **C. Based on the assessment findings, an individualized education plan**
13 **shall be developed and shall include specialized supports for education and daily**
14 **living activities appropriate to the needs of the student.**

15 **D. Appropriate specialized supports may include:**

16 **(1) Assistive technology skills that enable the student to use computers**
17 **and other electronic equipment to function independently and effectively at**
18 **school, home, work, and community.**

19 **(2) Career education skills that enable the student to explore career**
20 **options and learn about the world of work.**

21 **(3) Compensatory skills that enable the student to access educational**
22 **curriculum such as concept development, organizational skills, and**
23 **communication skills including speaking and listening, using sign language and**
24 **tactile symbols, reading and writing braille and print, and accessing recorded**
25 **materials.**

26 **(4) Independent living skills that enable the student to provide self-care,**
27 **including independent personal hygiene, food preparation, household cleaning,**
28 **clothes cleaning, and money management.**

29 **(5) Orientation and mobility skills that enable the student to know where**
30 **he is in space and move safely, independently, and efficiently at school, home,**

1 work, and community.

2 (6) Recreation and leisure skills that enable the student to explore and
3 enjoy leisure activities.

4 (7) Self-determination skills that enable the student to become an
5 effective self-advocate based on his own needs and goals.

6 (8) Sensory efficiency skills that enable the student to use all of his senses,
7 including functional vision, hearing, touch, taste, and smell.

8 (9) Social interaction skills that enable the student to participate actively
9 and appropriately in social situations.

10 Section 2. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____