

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1583 Session of  
2012

INTRODUCED BY WARD, RAFFERTY, FONTANA, ERICKSON, TARTAGLIONE,  
COSTA, FERLO, WOZNIAK, LEACH, MENSCH AND FARNESE,  
AUGUST 14, 2012

REFERRED TO EDUCATION, AUGUST 14, 2012

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
2 act relating to the public school system, including certain  
3 provisions applicable as well to private and parochial  
4 schools; amending, revising, consolidating and changing the  
5 laws relating thereto," providing for braille literacy  
6 assessment.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding a  
11 section to read:

12 Section 1383. Braille Literacy Assessment.--(a) As part of  
13 the development of an individualized education program for a  
14 blind student, a certified teacher shall screen and assess the  
15 student for braille proficiency.

16 (b) The assessment shall include a braille skills inventory,  
17 including a statement of the blind student's strengths and  
18 deficits.

19 (c) Except as provided under subsection (d), if the

assessment and inventory indicate that braille instruction is  
essential for the blind student to achieve satisfactory  
educational progress, a certified teacher shall provide braille  
instruction in reading and writing. The instruction shall be  
sufficient to enable the blind student to communicate  
effectively and efficiently with the same level of proficiency  
expected of the student's peers of comparable ability and grade  
level. The blind student's individualized education program  
shall specify the following:

(1) The results obtained from the inventory under subsection  
(b).

(2) A plan for how braille will be implemented as the  
primary mode for learning through integration with other  
classroom activities.

(3) The date on which braille instruction will commence.

(4) The length of the period of instruction and the  
frequency and duration of each instructional session.

(5) The level of competency in braille reading and writing  
to be achieved by the end of the period and the objective  
assessment measures to be used.

(d) Braille instruction and use shall not be required under  
this section if, in the course of developing the student's  
individualized education program, all members of the student's  
individualized education program team concur that the student's  
visual impairment does not affect reading, writing and academic  
performance commensurate with ability.

(e) If a decision is made under subsection (d) that braille  
instruction or use is not required for a student, the student's  
individualized education program team shall include in the  
student's individualized education program all of the following:

1     (1) A statement that the decision was reached after a review  
2 of pertinent literature describing the educational benefits of  
3 braille instruction and use.

4     (2) A specification of the evidence used to determine that  
5 the student's ability to read and write effectively without  
6 special education services is not impaired.

7     (f) This section shall not require the exclusive use of  
8 braille if other special education services are appropriate to  
9 the blind student's educational needs. The provision of other  
10 appropriate services shall not preclude braille use or  
11 instruction.

12     (g) The following words and phrases as used in this section  
13 shall have the meanings given to them in this subsection unless  
14 the context clearly indicates otherwise:

15     "Blind student" means a visually impaired child that has one  
16 or more of the following conditions:

17     (1) A visual acuity of 20/200 or less in the better eye with  
18 corrective lenses.

19     (2) A limited field of vision such that the widest diameter  
20 subtends an angular distance of no greater than twenty (20)  
21 degrees.

22     (3) A visual impairment including partial vision, color  
23 deficiency, light sensitivity or contract impairment that, even  
24 with correction, adversely affects a child's educational  
25 performance.

26     (4) A medically indicated expectation of visual  
27 deterioration.

28     "Braille" means a form of written language for the blind or  
29 visually-impaired in which characters are represented by  
30 patterns of raised dots.

1 "Certified teacher" means a teacher who holds all of the  
2 following:

3 (1) A current special education-visually impaired  
4 certificate issued by the Department of Education.

5 (2) A current National Certification in Literary Braille  
6 awarded by the National Blindness Professional Certification  
7 Board or an equivalent accreditation board or process  
8 demonstrating competence in reading and writing braille  
9 recognized by the Department of Education.

10 "Department" means the Department of Education of the  
11 Commonwealth.

12 "Individualized education program" means a written statement  
13 developed for a student eligible for special education services  
14 under the Individuals with Disabilities Education Act (Public  
15 Law 91-230, 20 U.S.C. § 1400 et seq.).

16 Section 2. This act shall take effect in 90 days.