
A BILL FOR AN ACT

RELATING TO THE BLIND PERSONS' AND LITERACY RIGHTS AND EDUCATION
ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new part to be appropriately designated and
3 to read as follows:
4 **"PART . THE BLIND PERSONS' LITERACY RIGHTS AND EDUCATION ACT**
5 **§302A-A Purpose.** The purpose of this part is to assure
6 that the individualized education program of each blind or
7 visually impaired child includes provisions for instruction in
8 braille and the use of braille appropriate to the child's
9 current and future literacy needs. In addition, the purpose of
10 this part is to establish standards of proficiency and
11 instruction and to provide braille materials in a timely
12 fashion. Finally, this part seeks to require the certification
13 and re-certification of teachers in accordance with braille
14 literacy standards.
15 **§302A-B Definitions.** As used in this part, "blind or
16 visually impaired child" means an individual who is eligible for
17 special education services and who:



- 1 (1) Has a visual acuity of 20/200 or less in the better
- 2 eye with correcting lenses or has a limited field of
- 3 vision such that the widest diameter subtends an
- 4 angular distance of no greater than twenty degrees; or
- 5 (2) Has a medically indicated expectation of visual
- 6 deterioration.

7 **§302A-C Individualized education program.** In developing

8 the individualized education program in the case of a child who

9 is blind or visually impaired, provision shall be made for

10 instruction in braille and the use of braille unless the

11 individualized education program team determines, after an

12 evaluation of the child's reading and writing skills, needs, and

13 appropriate reading and writing media, including an evaluation

14 of the child's future needs for instruction in braille or the

15 use of braille, that the instruction or use is not appropriate

16 for the child. Nothing in this section requires the exclusive

17 use of braille if other special education services are

18 appropriate to the child's educational needs. The provision of

19 other appropriate services shall not preclude braille use or

20 instruction.

21 **§302A-D Standards of competency and instruction.**

22 Instruction in braille reading and writing shall be sufficient

1 to enable each blind or visually impaired child to communicate
2 effectively and efficiently with the same level of proficiency
3 expected of the child's peers of comparable ability and grade
4 level. The child's individualized education program shall
5 specify:

- 6 (1) The results obtained from the evaluations required
7 under this section;
- 8 (2) How braille will be implemented as the primary mode
9 for learning through integration with other classroom
10 activities;
- 11 (3) The date on which braille instruction will commence;
- 12 (4) The length of the period of instruction and the
13 frequency and duration of a typical instructional
14 session;
- 15 (5) The level of competency in braille reading and writing
16 to be achieved by the end of the period and the
17 objective assessment measures to be used; and
- 18 (6) Whether a decision has been made under section 302A-C
19 that braille instruction or use is not required for
20 the child."

21 SECTION 2. There is appropriated out of the general
22 revenues of the State of Hawaii the sum of \$, or so



1 much thereof as may be necessary for fiscal year 2007-2008, for
2 teacher training for the teaching of braille.

3 The sum appropriated shall be expended by the department of
4 education for the purposes of this Act.

5 SECTION 3. In codifying the new sections added by section
6 1 of this Act, the revisor of statutes shall substitute
7 appropriate section numbers for the letters used in designating
8 the new sections in this Act.

9 SECTION 4. This Act shall take effect on July 1, 2007.



Report Title:

Education; Braille Standards

Description:

Assures individualized education programs for blind or visually impaired children including provisions for instruction in braille. Establishes standards of proficiency and instruction. Provides materials in a computer-accessible format capable of braille reproduction. Requires certification and re-certification of teachers in accordance with braille literacy standards. Makes appropriation for braille teacher training.
(SD1)

