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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1       SECTION 1. This Act shall be known and may be cited as the  
2 Hawaii Braille Literacy Education Act.

3       SECTION 2. The legislature finds that literacy skills are  
4 fundamental to success in education, employment, and life for  
5 all members of society. Braille is widely understood as an  
6 essential literacy tool for low vision and blind individuals. A  
7 2018 study from the Journal of Blindness Innovation and Research  
8 found that individuals who were braille readers since childhood  
9 reported higher levels of life-satisfaction, self-esteem, and  
10 job satisfaction than individuals who had not used braille as  
11 their primary reading medium during childhood.

12       The legislature further finds that braille literacy skills  
13 are essential for low vision and blind students to learn, seek  
14 and maintain remunerative employment, and access the  
15 opportunities in life open to all regardless of disability.  
16 Although one hundred sixty students in Hawaii are registered  
17 with the American Printing House for the Blind to receive



1 special education materials, only seventeen students have  
2 braille services in their special education programs. The  
3 legislature believes that it is in the interest of the State to  
4 promote braille instruction and ensure timely access to braille  
5 instructional materials for low vision and blind students, their  
6 parents and teachers, and other school personnel to ensure all  
7 of Hawaii's students have access to appropriate educational  
8 services.

9 Accordingly, the purpose of this Act is to:

- 10 (1) Require the department of education to include the  
11 instruction of braille and provision of braille  
12 instructional materials under certain circumstances;  
13 (2) Require the department of education to establish and  
14 maintain a braille literacy resource center; and  
15 (3) Appropriate funds.

16 SECTION 3. Chapter 302A, Hawaii Revised Statutes, is  
17 amended by adding a new part to be appropriately designated and  
18 to read as follows:

19 **"PART . BRAILLE SERVICES**

20 **§302A-A Policy.** It is the policy of the State to promote  
21 braille literacy and support the provision of braille



1 educational services needed for eligible blind students to fully  
2 participate in school and prepare for life after school ends.

3 **§302A-B Definitions.** For the purposes of this part:

4 "Braille" means the system of reading and writing through  
5 touch commonly known as standard English braille.

6 "Braille educational services" means:

- 7 (1) Instruction in reading and writing in braille; and  
8 (2) The provision of braille instructional materials.

9 "Braille instructional materials" means print instructional  
10 materials, as defined in section 302A-442.5, that are printed in  
11 braille.

12 "Eligible blind student" means an elementary or secondary  
13 school student who:

- 14 (1) Is eligible for services under the Individuals with  
15 Disabilities Education Act, as amended;  
16 (2) Is approved as an eligible person, as defined in  
17 section 121(d)(3) of the Copyright Act of 1976 (17  
18 U.S.C. 121(d)(3)), as amended; and  
19 (3) Attends a department school, a private school under  
20 chapter 302C, a public charter school under chapter



1           302D, or an approved alternative education program  
2           under section 302A-1132(a)(5),  
3 and is blind or visually handicapped.

4           "Individualized education program" and "individualized  
5 education program team" have the same meanings as in section  
6 614(d) of the Individuals with Disabilities Education Act (20  
7 U.S.C. section 1414(d)), as amended.

8           "Section 504 plan" and "section 504 plan team" mean a  
9 formal plan for how a school will ensure equal educational  
10 opportunity is provided to a student with a disability as  
11 required under section 504 of the Rehabilitation Act of 1973 (29  
12 U.S.C. section 791), as amended.

13           **§302A-C Braille educational services; eligible blind**  
14 **students; braille instructional materials.** (a) The  
15 individualized education program or section 504 plan for an  
16 eligible blind student shall include instruction in braille and  
17 provision of braille instructional materials unless the  
18 individualized education program team or section 504 plan team  
19 determines that the instruction or materials are not necessary  
20 for the student.



1 (b) Every individualized education program or section 504  
2 plan for an eligible blind student shall include an assessment  
3 of an eligible blind student's reading and writing ability and  
4 needs for braille educational services, including the student's  
5 current and future needs for instruction in braille or the use  
6 of braille.

7 (c) If braille instruction is included in the eligible  
8 blind student's individualized education program, the  
9 individualized education program shall:

10 (1) Document:

11 (A) The results of current braille reading and  
12 writing assessments of the student, if any;

13 (B) The date on which braille literacy instruction  
14 will commence;

15 (C) The length of the period of instruction and the  
16 frequency and duration of each instructional  
17 session;

18 (D) Performance goals for the end of the period and  
19 the objective assessment measures to be used; and

20 (E) The braille instructional materials used and  
21 whether the materials were provided at the same



1 time as the corresponding print materials were  
2 provided to other students; and

3 (2) Summarize how use of acquired braille skills and  
4 braille instructional materials will be incorporated  
5 into the student's general education program and daily  
6 activities.

7 (d) If the individualized education program team decides  
8 that braille literacy instruction is not necessary for an  
9 eligible blind student in accordance with subsection (a), the  
10 student's individualized education program shall:

11 (1) Document the student's:

12 (A) Visual condition, including cause, visual acuity,  
13 field of vision, visual functioning over time,  
14 stability of the condition, and prognosis; and

15 (B) Ability to achieve at least grade level reading  
16 and writing proficiency without regard to the use  
17 of braille, as expected of the student's peers of  
18 comparable ability to learn and progress from  
19 grade to grade in school;

20 (2) Identify the literacy assessment tools and methods  
21 used;



(3) Evaluate the student's current and future needs for braille instruction and braille instructional materials; and

(4) Provide the date of the student's next literacy assessment, if one is to be conducted, not to exceed twelve months from the previous assessment."

SECTION 4. Chapter 302A, Hawaii Revised Statutes, is amended by adding a new section to part II, subpart C to be appropriately designated and to read as follows:

**"§302A-D Braille literacy resource center; establishment; duties; rules.** (a) The department shall establish and maintain a braille literacy resource center that shall:

(1) Advocate for braille literacy and the provision of braille educational services to eligible blind students;

(2) Obtain instructional materials in braille as needed;

(3) Acquire, maintain, and make available studies, reports, and other authoritative information about the efficacy of instruction in braille and braille instructional materials;



1       (4) Ensure that each eligible blind student is registered  
2       with the department of human services pursuant to  
3       section 347-6;

4       (5) For each student registered pursuant to paragraph (4),  
5       provide the parent or legal guardian and, as  
6       appropriate, the student with comprehensive  
7       information about braille literacy instruction,  
8       braille instructional materials, assistive technology  
9       devices, and assistive technology services, including  
10      tools and options available to assess the student's  
11      braille literacy needs; and

12      (6) When requested by a member of an individualized  
13      education program team, section 504 plan team or, as  
14      appropriate, an eligible blind student, participate in  
15      the development of the student's individualized  
16      education program or section 504 plan.

17      (b) The department shall designate an individual from the  
18      braille literacy resource center to serve as the ex officio  
19      member of the board of trustees of the American Printing House  
20      for the Blind pursuant to the federal Act to Promote the





1 Education of the Blind title 20 United States Code 101 et seq.,  
2 as amended.

3 (c) The department may adopt rules pursuant to chapter 91  
4 to carry out the purposes of this section.

5 (d) For purposes of this section:

6 "Assistive technology device", "assistive technology  
7 service", and "braille" have the same meaning as defined in  
8 section 302A-442.5.

9 "Braille educational services" has the same meaning as in  
10 section 302A-B.

11 "Braille instructional materials" has the same meaning as  
12 in section 302A-B.

13 "Eligible blind student" has the same meaning as in section  
14 302A-B.

15 "Individualized education program" has the same meaning as  
16 in section 302A-B.

17 "Individualized education program team" has the same  
18 meaning as in section 302A-B.

19 "Section 504 plan" has the same meaning as in section 302A-  
20 B.



1        "Section 504 plan team" has the same meaning as in section  
2        302A-B."

3        SECTION 5. There is appropriated out of the general  
4        revenues of the State of Hawaii the sum of \$                      or so  
5        much thereof as may be necessary for fiscal year 2025-2026 and  
6        the same sum or so much thereof as may be necessary for fiscal  
7        year 2026-2027 to establish and operate the braille literacy  
8        resource center established by this Act.

9        The sums appropriated shall be expended by the department  
10       of education for the purposes of this Act.

11       SECTION 6. In codifying the new sections added by sections  
12       3 and 4 of this Act, the revisor of statutes shall substitute  
13       appropriate section numbers for the letters used in designating  
14       the new sections in this Act.

15       SECTION 7. This Act shall take effect on July 1, 3000.



**Report Title:**

DOE; Braille Literacy Instruction; Braille Literacy Materials;  
Braille Literacy Resource Center; Appropriation

**Description:**

Establishes state policy to promote braille literacy for eligible blind students. Requires the individualized education programs and section 504 plans of eligible blind students to include the assessment and evaluation of eligible blind students' reading and writing abilities, instruction of braille, and provision of braille instructional materials under certain circumstances. Requires the Department of Education to establish a Braille Literacy Resource Center. Appropriates funds. Effective 7/1/3000. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

