

FIRST REGULAR SESSION

# SENATE BILL NO. 320

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CASKEY.

Read 1st time January 21, 1999, and 1,000 copies ordered printed.

S1067.011

TERRY L. SPIELER, Secretary.

## AN ACT

To amend chapter 162, RSMo, by adding thereto six new sections relating to an educational program for students who are blind or visually impaired.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 162, RSMo, is amended by adding thereto six new sections, to be known as sections 162.1130, 162.1133, 162.1136, 162.1139, 162.1142 and 162.1145, to read as follows:

**162.1130. As used in sections 162.1130 to 162.1145, the following terms mean:**

(1) "Appraisal", an evaluation of a child's current level of performance in the context of cognitive skills and the ability to master academic skills of literacy such as reading, comprehension, composition and mathematics;

(2) "Blind or visually-impaired person", an individual who:

(a) Has a visual acuity of 20/200 or less in the better eye with conventional correction, or has a limited field of vision such that the widest diameter of the visual field subtends an angular distance not greater than twenty degrees;

(b) Has a reasonable expectation of visual deterioration; or

(c) Cannot read print material at a competitive rate of speed with facility due to lack of visual acuity;

(3) "Braille", the six-dot, two-grade tactile system used by blind persons for reading and writing;

(4) "Eligible student", any blind or visually-impaired child who is eligible for special education services for the visually-impaired as defined in the department of elementary and secondary education state plan;

(5) "IEP", a plan or set of goals designed to meet the specific short and long-term

**educational needs of a student and address academic, activities of daily living and transitional issues to enable a child to maximize his ability to function competently and independently;**

**(6) "Literacy", an ability to read, write and speak in English, compute and solve problems at levels of proficiency necessary to function on the job and independently, to achieve one's goals and develop one's knowledge and potential;**

**(7) "Teacher assistant for the blind", an individual, with knowledge of one or more alternative skills of blindness, including proficiency in the reading and writing of Braille, producing Braille materials or providing instruction in alternative techniques of blindness;**

**(8) "Blindness skills specialist in education", any individual certified as an instructor of the blind and visually-impaired who has reasonable knowledge of instructional techniques for the teaching of Braille reading and writing, orientation and mobility, assistive computer technology and other alternative skills of blindness.**

**162.1133. 1. The division of special education within the department of elementary and secondary education shall develop a program to provide a blindness skills specialist available at each regional professional development center.**

**2. The duties of a blindness skills specialist shall include the following:**

**(1) To act as a resource for school districts under the regional office of professional development with regard to children who are blind or visually-impaired;**

**(2) To make programming and placement recommendations to schools under the regional office of professional development using assessments and information developed within the IEP process;**

**(3) To provide in-service training in alternative techniques of blindness to classroom teachers and teachers assistants for the blind engaged in the education of blind and visually-impaired students;**

**(4) To provide parents of children who are blind or visually-impaired with referrals and information regarding services available within the state;**

**(5) To coordinate services available from other entities who serve children and the families of children who are blind or visually-impaired;**

**(6) To provide direct services to eligible students whenever necessary in their local school districts.**

**3. A task force on blind student literacy is hereby established and shall be comprised of members selected by the governor to represent consumer organizations, parents, teachers, the instructional materials center, the Missouri school for the blind and the producers of Braille materials used by blind students throughout the state. This task force shall develop goals and objectives to be accomplished by implementation of one-year, three-year and five-year plans to increase the numbers of**

**literate blind Missouri children and strengthen the quality of instruction in the skills of blindness received by blind children.**

**162.1136. 1. The division of special education within the department of elementary and secondary education shall conduct an annual study of the educational status of children who are blind or visually-impaired and report the findings of that study no later than December first of each year to the speaker of the house of representatives and the president pro tem of the senate and to the standing committee of jurisdiction in each chamber.**

**2. The report shall contain information pertaining to literacy of blind and visually-impaired children including:**

**(1) The methodology of the study;**

**(2) The percentage of students in the study who read Braille, print, Braille complemented with print and print complemented with Braille;**

**(3) The number of students who have a visual impairment sufficient to meet the definition of blind or visually-impaired person, as defined in section 162.1130;**

**(4) The number of students currently reading Braille, large print and standard print. The report shall also detail how many students there are by age, grade level, ungraded and with multiple handicaps, who are enrolled in public school, private school, or in the Missouri school for the blind, respectively;**

**(5) The number of Braille-reading students who no longer receive any instruction in Braille reading and writing but do receive materials in Braille and Braille-related services;**

**(6) The number of certified vision teachers or teachers of the blind or visually-impaired who are currently employed in the field in the state of Missouri;**

**(7) The number of blind students whose last annual IEP review indicates a positive discussion of Braille;**

**(8) The number of times when information and literature regarding the history, use and skills of Braille were offered to the parents and other members of the IEP team, and whether a professional proficient in the teaching of Braille was present at the IEP meetings;**

**(9) The number of students who have an IEP goal of reading at a level commensurate with their sighted peers;**

**(10) The number, by reading format, of blind and visually-impaired students that have achieved a reading speed and comprehension level commensurate with that of their sighted peers;**

**(11) The number of blind or visually-impaired students who use a slate and stylus in writing Braille;**

**(12) The number of blind and visually-impaired students educated over twenty-**

**five percent of the day in placements other than the regular classroom;**

**(13) The graduation rate of students who are blind or visually-impaired compared to those students who are not disabled;**

**(14) The number of students who did not meet graduation requirements but were terminated from formal education having reached age twenty-one years;**

**(15) The number of students who received transition planning services with the cooperation of the division of vocational rehabilitation or rehabilitation services for the blind as part of their IEP;**

**(16) The number of students referred to rehabilitation services for the blind or division of vocational rehabilitation.**

**162.1139. The division of special education within the department of elementary and secondary education shall develop a system of joint referral with rehabilitation services for the blind. All children identified by a school district or the division of special education as blind or visually-impaired shall be referred to rehabilitation services for the blind. All children identified by rehabilitation services for the blind as being eligible for services will be referred to the local school district and the division of special education of the department of elementary and secondary education.**

**162.1142. There is hereby created in the state treasury the "Blindness Skills Specialist Fund" which shall be administered by the division of special education within the department of elementary and secondary education. Monies in the fund shall, upon appropriation, be used to establish and maintain the blindness skills specialist program pursuant to section 162.1136.**

**162.1145. All public elementary, secondary and post-secondary schools shall preferentially procure educational materials, including text books and collateral materials, from vendors who make the materials available in either Braille format or electronic format, or both, at no greater cost than for regular materials.**