

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Senator Snyder**

# **A Bill**

**ACT 483 OF 1993**  
**SENATE BILL 504**

## **For An Act To Be Entitled**

8 "AN ACT TO REQUIRE A YEARLY ASSESSMENT OF VISUALLY  
9 IMPAIRED STUDENTS; TO REQUIRE TEXTBOOK PUBLISHERS TO  
10 FURNISH ELECTRONIC MEDIA FOR TRANSLATION OF TEXTBOOKS INTO  
11 BRAILLE; TO REQUIRE BRAILLE INSTRUCTION; AND FOR OTHER  
12 PURPOSES."

## **Subtitle**

15 "TO IMPROVE EDUCATIONAL SERVICES FOR VISUALLY IMPAIRED  
16 STUDENTS."

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. The General Assembly finds that proficiency in braille  
21 reading and writing is essential for the satisfactory educational progress of  
22 visually impaired students and that braille instruction must be used in  
23 combination with other special education services that are appropriate to the  
24 educational needs of visually impaired students; therefore, it is hereby  
25 declared to be the policy of this state to provide and to require school  
26 districts to provide all visually impaired students who are enrolled in  
27 Arkansas public schools and whose education is adversely affected by their  
28 visual disability with an equal opportunity for appropriate instruction.  
29 Appropriate instruction shall be designed to enable each visually impaired  
30 student to communicate with the same level of proficiency as other students of  
31 comparable ability at the same grade level.

33 SECTION 2. As used in this act:

34 (1) "Compliance citation" means a citation issued by the Department of  
35 Education which documents a school\_s failure to comply with state education  
36 laws.

1 (2) "Department" means the Arkansas Department of Education.

2 (3) "Individual education plan" means the evaluation of a handicapped  
3 child\_s educational needs conducted pursuant to Arkansas Code 6-41-217.

4

5 SECTION 3. (a) Each school district shall insure that, at least once a  
6 year, a certified teacher of the visually impaired or *other qualified person*  
7 *as determined by the Department of Education* conducts an assessment of the  
8 educational progress of each visually impaired student *identified as having or*  
9 *suspected of having a disability pursuant to Arkansas Code Annotated 6-41-202,*  
10 *et seq.* enrolled in that school district. The assessment shall:

11 (1) Address the student\_s need for braille instruction, using  
12 procedures developed by the Department, and specify the learning medium most  
13 appropriate for the student\_s educational progress;

14 (2) Identify the student\_s strengths and weaknesses in braille  
15 skills, when that medium is used for instruction; and

16 (3) Identify appropriate and necessary related services and  
17 technologies for use in combination with braille instruction.

18 (b) The results of the assessment shall be used to develop the  
19 student\_s individual educational plan.

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21 SECTION 4. (a) Each student who needs braille reading and writing  
22 instruction shall receive instruction from either a certified teacher of the  
23 visually impaired or a person who is qualified in braille instruction as  
24 determined by the department.

25 (b) The department shall no later than July 1, 1995 establish  
26 requirements to become qualified in braille instruction.

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28 SECTION 5. By July 1, 1995, the department shall develop procedures to  
29 determine when a visually impaired student needs braille instruction.

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31 SECTION 6. (a) The department shall have the authority to require  
32 publishers of textbooks to furnish electronic media for the text portion of  
33 those textbooks required by visually impaired students. The electronic media  
34 shall be immediately capable of being electronically translated into braille  
35 or large print by computer or other electronic media. When braille code

1 translation allows, publishers shall furnish electronic media for the non-  
2 textual portion of textbooks.

3 (b) The department shall no later than July 1, 1994 have made all  
4 necessary arrangements for obtaining, producing, and distributing textbooks in  
5 braille or large print from electronic media obtained from textbook publishers  
6 as described in this act.

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8 *SECTION 7. Failure of a school district to come into compliance with*  
9 *the provisions of this act shall be grounds for a compliance citation from the*  
10 *department.*

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12 *SECTION 8. All provisions of this act of a general and permanent nature*  
13 *are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code*  
14 *Revision Commission shall incorporate the same in the Code.*

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16 *SECTION 9. If any provision of this act or the application thereof to*  
17 *any person or circumstance is held invalid, such invalidity shall not affect*  
18 *other provisions or applications of the act which can be given effect without*  
19 *the invalid provision or application, and to this end the provisions of this*  
20 *act are declared to be severable.*

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22 *SECTION 10. All laws and parts of laws in conflict with this act are*  
23 *hereby repealed.*

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*/s/ Senator Snyder*

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APPROVED: 03/12/93

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