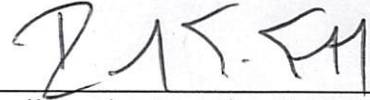
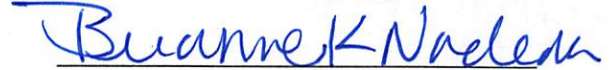


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2 Councilmember Anita Bonds



Councilmember Brandon T. Todd



Councilmember Brianne K. Nadeau

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10 A BILL
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15 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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20 To ensure that the individualized education program of each blind or visually impaired child
21 includes provisions for instruction in Braille and the use of Braille appropriate to the
22 child's current and future literacy needs, to establish standards of Braille proficiency and
23 Braille instruction, to provide materials in a computer-accessible format capable of
24 Braille reproduction, and to require the certification and re-certification of teachers in
25 accordance with Braille literacy standards.
26

27 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
28 act may be cited as the "Blind Students Literacy and Education Rights Act of 2018".

29 Sec. 2. Definitions.

30 (1) "Blind or visually impaired child" shall have the same meaning as that of
31 "blind person" as provided in section 8(1) of An Act to enable the blind and the otherwise
32 physically disabled to participate fully in the social and economic life of the District of
33 Columbia, approved October 21, 1972 (86 Stat. 970; D.C. Official Code § 7-1009(1)).

34 (2) "Braille" means the system of reading and writing through touch known as
35 standard English Braille.

36 (3) "IEP team" has the same meaning as provided in section 614(d)(1)(B) of the
37 Individuals with Disabilities Education Act, approved December 3, 2004 (118 Stat. 2702; 20
38 U.S.C. § 1414(d)(1)(B)).

39 (4) "Individualized education program," has the same meaning as provided in
40 section 614(d)(1)(A)(i) of the Individuals with Disabilities Education Act, approved December 3,
41 2004 (118 Stat. 2702; 20 U.S.C. § 1414(d)(1)(A)(i)).

42 (5) "Textbooks and other instructional materials" means any literary or
43 nonliterary works obtained for use in a course of study.

44 Sec. 3. Individualized education program.

45 (a) In developing the individualized education program in the case of a child who is blind
46 or visually impaired, provision shall be made for instruction in Braille and the use of Braille
47 unless an IEP Team determines, after an evaluation of the child's reading and writing skills,
48 needs, and appropriate reading and writing media (including an evaluation of the child's future
49 needs for instruction in Braille or the use of Braille), that such instruction or use is not
50 appropriate for the child; provided, that nothing in this section shall require the exclusive use of
51 Braille if other special education services are appropriate to the child's educational needs, nor
52 shall the provision of other appropriate services preclude Braille use or instruction.

53 (b) Instruction in Braille reading and writing shall be sufficient to enable each blind or
54 visually impaired child to communicate with the same level of proficiency expected of the child's
55 peers of comparable ability and grade level. A blind or visually impaired child's individualized
56 education program shall specify:

57 (1) The results obtained from the evaluations required under subsection (a) of this
58 section;

59 (2) How Braille will be implemented as the primary mode for learning through
60 integration with other classroom activities;

61 (3) The date on which Braille instruction will commence;

62 (4) The length of the period of instruction and the frequency and duration of each
63 instructional session;

64 (5) The level of competency in Braille reading and writing to be achieved by the
65 end of the period and the objective assessment measures to be used; and

66 (6) If a determination has been made, pursuant to subsection (a) of this section,
67 that Braille instruction or use is not required for the child:

68 (A) A statement that the decision was reached after a review of pertinent
69 literature describing the educational benefits of Braille instruction and use; and

70 (B) A specification of the evidence used to determine that the child's
71 ability to read and write effectively without special education services is not impaired.

72 (c) All publishers of textbooks, including texts in electronic media, sold to the District of
73 Columbia Public Schools or any public charter schools shall furnish an electronic version in
74 which the content:

75 (1) Is encoded in text suitable for conversion into Braille or synthesized speech;

76 and

77 (2) Has been prepared using a markup language which maintains the structural
78 integrity of the information and can be processed by Braille translation software.

79 (d) As part of the certification and renewal process, teachers certified in the education of
80 blind and visually impaired children, as required by the Office of the State Superintendent of
81 Education ("OSSE") pursuant to 5A DCMR § 1602.1, shall be required to demonstrate

82 competence in reading and writing Braille. OSSE shall not issue or renew a license to teach the
83 visually impaired unless the applicant demonstrates, based upon standards adopted by the
84 Library of Congress's National Library Service for the Blind and Physically Handicapped, that
85 he or she is proficient in reading and writing Braille.

86 Sec. 4. Fiscal impact statement.

87 The Council adopts the fiscal impact statement in the committee report as the fiscal
88 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
89 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

90 Sec. 5. Effective date.

91 This act shall take effect following approval by the Mayor (or in the event of veto by the
92 Mayor, action by the Council to override the veto), a 60-day period of Congressional review as
93 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
94 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
95 Columbia Register.