

AN ACT

relating to the development of an individualized education program for a public school student with a visual impairment.

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

SECTION 1. Section 30.002, Education Code, is amended by amending Subsection (f) and adding Subsection (f-1) to read as follows:

(f) In the development of the individualized education program for a ~~[functionally blind]~~ student with a visual impairment, proficiency in ~~[braille]~~ reading and writing is a significant indicator of ~~[presumed to be essential for]~~ the student's satisfactory educational progress. The individualized education program for a student with a visual impairment must include instruction in ~~[Each functionally blind student is entitled to]~~ braille and the use of braille unless the student's admission, review, and dismissal committee determines and documents that braille is not an appropriate literacy medium for the student. The committee's determination must be based on an evaluation of the student's appropriate literacy media and literacy skills and the student's current and future instructional needs ~~[reading and writing instruction that is sufficient to enable the student to communicate with the same level of proficiency as other students of comparable ability who are at the same grade level]~~. Braille instruction:

1 (1) may be used in combination with other special
2 education services appropriate to the student's educational needs;
3 and

4 (2) shall be provided by a teacher certified to teach
5 students with visual impairments~~[. The assessment of each~~
6 ~~functionally blind student for the purpose of developing the~~
7 ~~student's individualized education program must include~~
8 ~~documentation of the student's strengths and weaknesses in braille~~
9 ~~skills].~~

10 (f-1) Each person assisting in the development of the [~~a~~
11 ~~functionally blind student's~~] individualized education program for
12 a student with a visual impairment shall receive information
13 describing the benefits of braille instruction. [~~Each functionally~~
14 ~~blind student's individualized education program must specify the~~
15 ~~appropriate learning medium based on the assessment report and~~
16 ~~ensure that instruction in braille will be provided by a teacher~~
17 ~~certified to teach students with visual impairments. For purposes~~
18 ~~of this subsection, the agency shall determine the criteria for a~~
19 ~~student to be classified as functionally blind.]~~

20 SECTION 2. This Act applies beginning with the 2019-2020
21 school year.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for immediate effect, this
26 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 522 passed the Senate on April 3, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 522 passed the House on May 17, 2019, by the following vote: Yeas 143, Nays 4, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor