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REFERENCE TITLE: school textbooks; alternative format

State of Arizona  
House of Representatives  
Forty-sixth Legislature  
First Regular Session  
2003

## **HB 2275**

Introduced by  
Representatives Gray L, Lopez L, Senators Aguirre, Hellon

AN ACT

AMENDING SECTION 15-214, ARIZONA REVISED STATUTES; RELATING TO THE STATE BOARD OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-214, Arizona Revised Statutes, is amended to  
3 read:

4 15-214. Rules; disabled pupils; braille literacy; alternative  
5 format textbooks; definitions

6 A. The state board of education shall adopt rules ~~to promote braille~~  
7 ~~literacy~~ ON OR BEFORE JULY 1, 2004 that:

8 1. Assure that each blind pupil receives an individualized braille  
9 literacy assessment and appropriate educational services resulting from the  
10 assessment, establish standards of proficiency and instruction, provide THAT  
11 materials SHALL BE in a computer accessible format capable of braille  
12 reproduction and require that certified teachers of visually impaired pupils  
13 meet braille competencies as specified in this section.

14 2. Assure that, in developing the individualized written education  
15 program for each blind pupil, the presumption shall be that proficiency in  
16 braille is essential for that pupil to achieve satisfactory educational  
17 progress. Braille instruction and use are not required by this section if,  
18 in the course of developing the pupil's individualized education program, all  
19 members of the team concur that the pupil's visual impairment does not affect  
20 reading and writing performance commensurate with ability. Nothing in this  
21 section requires the exclusive use of braille if other special education  
22 services are appropriate to the pupil's educational needs. The provision of  
23 other appropriate services does not preclude braille use or instruction.

24 3. Assure that instruction in braille is sufficient to enable each  
25 blind pupil to communicate effectively and efficiently in all subject areas  
26 with the same level of proficiency expected of the pupil's peers of  
27 comparable ability and grade level. The pupil's individualized education  
28 program shall specify:

29 (a) The results of a braille assessment.

30 (b) The methods by which braille will be implemented.

31 (c) The date on which braille instruction will begin.

32 (d) The length of the period of instruction and the frequency and  
33 duration of each instructional session.

34 (e) The level of competency in braille to be achieved by the end of  
35 the period of instruction and a description of the objective measures to be  
36 used to evaluate the pupil's level of competency.

37 (f) A list of the appropriate braille materials and equipment needed  
38 to allow the pupil to achieve the level of competency specified in the  
39 individualized education program.

40 (g) The rationale for not providing braille if braille is not  
41 determined to be an appropriate medium.

42 4. Assure that the department of education shall require all  
43 publishers of textbooks to furnish the department with computer diskettes for  
44 literary and nonliterary subjects when diskettes become available for  
45 nonliterary subjects, in a standard format approved by the department of

1 education from which braille AND OTHER ALTERNATIVE versions of the textbook  
2 can be produced. THIS PARAGRAPH APPLIES TO PUPILS WITH SECTION 504 PLANS AND  
3 PUPILS WHO ARE SUBJECT TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT OF  
4 1997 (20 UNITED STATES CODE SECTIONS 1400 THROUGH 1415). A SCHOOL DISTRICT  
5 OR CHARTER SCHOOL SHALL PROVIDE WRITTEN NOTIFICATION OF THE REQUIREMENTS OF  
6 THIS PARAGRAPH TO PUBLISHERS WHEN SOLICITING BIDS FOR TEXTBOOKS. THIS  
7 PARAGRAPH DOES NOT APPLY TO LEGACY MATERIALS.

8 5. Assure that teachers certified in the education of blind and  
9 visually impaired pupils in this state on or after July 1, 1997 shall be  
10 required to demonstrate competence in braille. Competence shall be measured  
11 by either:

12 (a) Successful completion of a nationally validated test, when such a  
13 test is available.

14 (b) Successful completion of a braille test developed in the program  
15 in visual impairment at the university of Arizona.

16 B. ~~As used in~~ FOR THE PURPOSES OF this section, ~~—~~ :

17 1. "Blind pupil" means a pupil who meets one or more of the following  
18 conditions:

19 ~~1-~~ (a) Cannot successfully use vision as a primary and efficient  
20 channel for learning.

21 ~~2-~~ (b) Exhibits such a low degree or amount of visual acuity or  
22 visual field that vision is not considered as a primary mode of learning.

23 ~~3-~~ (c) Has a medically indicated prognosis of visual deterioration.

24 2. "LEGACY MATERIALS" MEANS IMAGES AND GRAPHICS THAT REQUIRE RELEASE  
25 AND PERMISSION FROM A SOURCE OTHER THAN THE TEXTBOOK PUBLISHER.

26 3. "SECTION 504 PLAN" MEANS A WRITTEN STATEMENT DEVELOPED FOR A PUPIL  
27 WITH A DISABILITY THAT INCLUDES THE PROVISION OF REGULAR OR SPECIAL EDUCATION  
28 AND RELATED AIDS AND SERVICES, INCLUDING ASSISTIVE TECHNOLOGY, AND THAT IS  
29 DESIGNED TO MEET INDIVIDUAL EDUCATION NEEDS IN ACCORDANCE WITH 34 CODE OF  
30 FEDERAL REGULATIONS PART 104.