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**HOUSE BILL NO. 2224**

Offered January 14, 2009

Prefiled January 14, 2009

*A BILL to amend and reenact § 22.1-217 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 51.5-65.1, relating to Braille; certification of instructors.*

Patrons—Knight, Alexander, Athey, Cole, Cosgrove, Gear, Howell, W.J., Hull, Ingram, Landes, Lingamfelter and Orrock; Senators: Barker, Blevins, Edwards, Houck, Northam, Quayle, Ruff and Whipple

Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:**

**1. That § 22.1-217 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 51.5-65.1 as follows:**

§ 22.1-217. Visually impaired children.

A. Special education for visually impaired children provided by a school division shall be established, maintained and operated jointly by the school board and the Virginia Department for the Blind and Vision Impaired subject to the regulations of the Board of Education. Braille instruction shall be included in the student's Individualized Education Plan (IEP), whenever appropriate. When developing the IEP for students with visual impairment, the presumption shall be that proficiency in literacy is essential for such student to achieve satisfactory educational progress. However, use of Braille shall not be required if other special education services are more appropriate to the student's educational needs, and the provision of other appropriate services shall not preclude Braille instruction.

B. *Individuals providing Braille instruction shall be certified in the instruction of Braille pursuant to regulations promulgated by the Virginia Department for the Blind and Vision Impaired.*

C. The Virginia Department for the Blind and Vision Impaired shall prepare and deliver a program of special education services in addition to the special education provided in the public school system designed to meet the educational needs of visually impaired children between the ages of birth and twenty-one and may prepare and deliver such programs for such individuals of other ages. In the development of such a program, the Virginia Department for the Blind and Vision Impaired shall cooperate with the Board of Education and the school boards of the several school divisions. The Virginia Department for the Blind and Vision Impaired shall assist the Board of Education and the school boards of the several school divisions with in-service training in Braille for currently employed teachers of students who are blind and visually impaired.

~~C.D.~~ As used in this section:

"Braille" means the system of reading and writing through touch and is commonly known as standard English Braille Grade 2.

"Program" means a modified program which provides special materials or services and may include the employment of itinerant teachers or resource room teachers for the visually impaired.

"Visually impaired" shall be defined by the Board of Education and the Virginia Department for the Blind and Vision Impaired.

§ 51.5-65.1. *Certification of Braille instructors.*

*The Department shall promulgate regulations, in cooperation with the Department of Education, for the certification of individuals providing Braille instruction in the Commonwealth. Such regulations shall require that all individuals providing Braille instruction in the Commonwealth be certified as having passed the National Literary Braille Competency Test by July 1, 2011.*

INTRODUCED

HB2224