

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB1325

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Cole

3. Committee: Education

4. Title: Visually impaired students; instruction in Braille, etc.

5. Summary: This impact statement has been revised to include a cost to the Department of Education related to training costs.

The proposed legislation would require each visually impaired student to be evaluated by a certified Teacher of the Visually Impaired (TVI) and would require the student to receive instruction in Braille or the use of Braille unless the team responsible for developing the student's education plan determines that instruction in Braille or the use of Braille is not appropriate to the student's educational needs. Currently, the Code of Virginia provides that Braille instruction must be included in a student's individualized education program (IEP) whenever appropriate. However, use of Braille is not required if other special education services are more appropriate for the student.

The bill allows the team to provide other specialized educational services and assistive technology devices in addition to Braille. The bill disallows the presence of some residual vision from precluding instruction in Braille and the use of Braille. The bill permits the team instruction in the use of the appropriate Braille mathematics code in addition to Braille and the use of Braille.

6. Budget Amendment Necessary: Yes, Item 129.

7. Fiscal Impact Estimates: Preliminary. See Item 8.

8. Fiscal Implications: School divisions currently report 1,296 students in the visual impairment disability category. Beginning in FY 2014, state Standards of Quality funding have been provided to divisions for staffing of teachers serving visually impaired students (based on a ratio of 24:1 for resource teachers; and 10:1 with an aide, 8:1 without an aide for self-contained teachers).

Current federal and state special education regulations already require several of the bill's components, including the following provisions in the state special education regulations: 8 VAC 20-81-110.F.2.c, which requires the IEP team to provide for instruction in Braille and the use of Braille unless the IEP team determines that the child does not need this instruction; 8VAC20-81-110 (frequency of review); and 8VAC20-81-70 (evaluation and re-evaluation).

The proposed legislation does not directly require state funding support for any costs associated with the bill. The requirements for an annual evaluation by a certified TVI and an annual literacy assessment may generate new costs for school divisions, particularly in the required components of the evaluation and assessment not currently implemented by divisions. Currently, the teams developing a student's education plan have the flexibility to determine the appropriate frequency for conducting evaluations or reevaluations for the determination of the student's disability or individual educational needs.

To meet its training requirement related to Braille services, DOE would need to augment staffing in order to provide training to school divisions on all required components of the bill and to develop an online training component that could be used in out years. DOE would also need to update all information and guidance, both online and in print, that is published for school divisions. The estimated cost to the state is an estimated \$200,000 in FY 2016 only to provide the additional training and to redesign and print guidance materials.

School divisions may also incur substitute costs in order to release teachers for training. Moreover, there may be a cost to school divisions that choose to purchase a commercial learning media assessment tool and associated training to meet the requirements of the bill.

The requirement that the student evaluation be conducted by a certified TVI could reduce the amount of time such teachers are available for direct instruction to students.

9. Specific Agency or Political Subdivisions Affected: Department of Education, local school divisions

10. Technical Amendment Necessary: None.

11. Other Comments: None.

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