

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB166

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Cole

3. Committee: Education

4. Title: Visually impaired students; each student to be evaluated and receive instruction in Braille.

5. Summary: Requires each visually impaired student to be evaluated by a certified Teacher of the Visually Impaired and requires the student to receive instruction in Braille or the use of Braille unless the team responsible for developing the student's Individualized Education Program (IEP team) or the team responsible for developing the student's plan pursuant to § 504 of the Rehabilitation Act of 1973 (504 team) determines that instruction in Braille or the use of Braille is not appropriate to the student's educational needs. Current law requires a determination of the appropriateness of Braille but does not require the evaluation. The bill allows IEP teams and 504 teams to provide other specialized educational services and assistive technology devices in addition to Braille. The bill permits IEP teams and 504 teams to determine that visually impaired students are eligible for instruction in the use of the appropriate Braille mathematics code in addition to Braille and the use of Braille. The bill disallows the presence of some residual vision from precluding instruction in Braille and the use of Braille.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: School divisions currently report 1,154 students in the visual impairment disability category. Beginning in FY14, state Standards of Quality funding is provided to divisions to staff 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).

HB 166 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, school division IEP or 504 teams have the flexibility to determine the appropriate frequency for conducting evaluations or reevaluations to assess the student's disability or individual educational needs.

Recent training for teachers of vision impaired students, provided and funded by the Department of Education, cost approximately \$564 per teacher. Training of additional teachers would have to be supported by either the local school divisions or the Department of Education. 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 also could reduce the amount of time such teachers are available for direct instruction to students. The actual fiscal impact to localities is indeterminate at this time.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.