

VIRGINIA ACTS OF ASSEMBLY -- 1998 RECONVENED SESSION

CHAPTER 852

An Act to amend and reenact §§ 22.1-217, 22.1-253.13:5, and 22.1-298 of the Code of Virginia, relating to instruction of visually impaired children.

[H 820]

Approved April 22, 1998

Be it enacted by the General Assembly of Virginia:

1. That §§ 22.1-217, 22.1-253.13:5, and 22.1-298 of the Code of Virginia are amended and reenacted 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 Visually Handicapped 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. The Virginia Department for the Visually Handicapped 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 Visually Handicapped shall cooperate with the Board of Education and the school boards of the several school divisions. *The Virginia Department for the Visually Handicapped 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. 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 Visually Handicapped.

§ 22.1-253.13:5. Standard 5. Training and professional development.

A. The General Assembly and the Board of Education find that effective educational leadership and personnel and appropriate programs of professional development and training are essential for the advancement of public education in the Commonwealth.

B. Each member of the Board of Education shall participate in in-service programs on personnel, curriculum and current issues in education as part of his service on the Board.

C. The Board of Education shall sponsor, conduct or provide advice on (i) training and professional development of teachers, principals, supervisors, division superintendents and other school staff ~~and~~; (ii) in-service programs for school board members on personnel, curriculum and current issues in education; *and (iii) in cooperation with the Virginia Department for the Visually Handicapped, in-service programs in Braille for teachers of the blind and visually impaired.* The Board shall provide technical assistance on professional development to local school boards designed to seek to ensure that all instructional personnel are proficient in the use of educational technology consistent with its Six-Year Educational Technology Plan for Virginia.

D. Each local school board shall require (i) its members to participate annually in in-service programs on personnel, curriculum and current issues in education as part of their service on the local board and (ii) require the division superintendent to participate annually in professional development activities at the local, state or national levels.

E. Each local school board shall provide (i) a program of professional development, as part of the license renewal process, to assist teachers and principals in acquiring the skills needed to work with gifted students and handicapped students and to increase student achievement; (ii) a program of professional development in educational technology for all instructional personnel; and (iii) a program of professional development for administrative personnel designed to increase proficiency in instructional leadership and management.

§ 22.1-298. Regulations governing licensure.

A. The Board of Education shall, by regulation, prescribe the requirements for licensure of teachers. Regardless of the authority of any other agency of the Commonwealth to approve educational programs, only the Board of Education shall have the authority to license teachers to be regularly employed by school boards, including those teachers employed to provide nursing education.

B. Such regulations shall include:

1. A requirement that every teacher seeking initial licensure take a professional teacher's examination prescribed by the Board. ~~The regulations shall require;~~

2. *A requirement that persons seeking licensure on and after July 1, 2000, to have completed complete study in attention deficit disorder; and*

3. *A requirement that, on and after July 1, 2000, persons seeking licensure with endorsements as teachers of the blind and visually impaired demonstrate minimum proficiency in Braille.*

C. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any person who does not meet ~~this requirement~~ *the requirements of this section* or any other requirement for licensure imposed by law.