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Senate Bill 658 (Substitute S-2))
Sponsor: Senator Ken Sikkema
Committee: Education

Date Completed: 2-1-00

CONTENT

The bill would create the “Blind Pupil’s Braille Literacy Law” within the Revised School Code to do the following:

- Require the Department of Education to adopt braille reading and writing standards for teachers of blind and visually impaired pupils.
- Require a local school district or an intermediate school district (ISD) to provide information on the benefits of instruction in braille reading and writing to each person on a blind pupil’s individualized educational planning committee.
- Require the Department to obtain braille versions of textbooks and/or electronic file format versions of textbooks that could be converted to braille versions.

(“Blind pupil” would mean a pupil who was determined to manifest one or more of the following: a visual acuity of 20/200 or less in the better eye after routine refractive correction; a field of vision that was limited so that the widest diameter of the visual field subtended an angle not greater than 20 degrees; or, a medically indicated expectation of visual deterioration that was expected to result in one or both of those conditions.)

The Department would have to disseminate the braille reading and writing standards to all school districts, ISDs, and teacher preparation programs. The standards would have to be included in the rules governing special education programs and services. In establishing the standards, the Department would have to consider the standards adopted by the National Library Service for the Blind and Physically Handicapped of the U.S. Library of Congress.

When a local or intermediate school district received information from the Department of Education, or information that was approved by the Department from a consumer organization that advocated for the blind, describing the benefits of instruction in braille reading and writing, the local district or ISD would have to provide this information to each person on a blind pupil’s individualized educational planning committee. (“Individualized educational planning committee” would mean that term as defined in the Administrative Code (R 340.1701a) or an individualized education program team as defined in Title VI of the Individuals with Disabilities Education Act. Under R 340.1701a, “individualized educational planning committee” means persons appointed and invited by the superintendent to determine a person’s eligibility for special education programs and services and, if eligible, to develop an individualized education program. “Individualized education program” also would be defined as it is in that rule or in Title VI. The rule defines “individualized education program” as a program developed by an individualized educational planning committee that must be reviewed annually. The components of the program are identified in a separate rule.)

The Department would have to accept and respond to requests from local districts and ISDs and would have to work with textbook publishers to obtain electronic file format versions of textbooks and/or braille versions of textbooks. Also, on behalf of local and intermediate school districts, the Department could request and arrange for converting an electronic file format version of a textbook to a braille version. The Department would have to process and make these requests in a timely manner.

Upon request, a publisher of a textbook that was adopted for instructional use by a school district would have to furnish the Department with an electronic version of the textbook if the textbook were for a literary subject or, for a textbook for a nonliterary subject, if the technology were available to convert the textbook directly to a format compatible with braille translation software. A publisher could not charge a price for this electronic version that exceeded the price it charged for the print or electronic media version of the textbook.

A local or intermediate school district or an individualized educational planning committee could not deny a pupil the opportunity for instruction in braille reading and writing solely because the pupil had some remaining vision. Instruction for blind pupils would have to be consistent with the goals and standards established by the State for all pupils.

Proposed MCL 380.1704

Legislative Analyst: L. Arasim

FISCAL IMPACT

There would be minimal, if any, additional cost to the State under Senate Bill 658 (S-2). The Department of Education already administers an instructional resource center, which currently performs many textbook conversion functions. Any possible additional costs would occur as districts and ISDs would submit their electronic or Braille version requests solely to the Department, rather than dealing with publishers directly. The Department possibly would need to fund additional employees to process these requests.

There is the possibility of reduced costs to districts and ISDs under the bill because of the cost restriction outlined in Subsection (5). Specifically, this language would prohibit textbook publishers from charging higher prices for the electronic versions than what is charged for the print or electronic media versions.

Fiscal Analyst: K. Summers-Coty

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.