

REPRINT

**SUBSTITUTE FOR
SENATE BILL NO. 658**

(As Passed the Senate February 10, 2000)

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1704.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1704. (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED
2 AS THE "BLIND PUPIL'S BRAILLE LITERACY LAW".
3 (2) THE DEPARTMENT SHALL ADOPT BRAILLE READING AND WRITING
4 STANDARDS FOR TEACHERS OF BLIND AND VISUALLY IMPAIRED PUPILS AND
5 SHALL DISSEMINATE THESE STANDARDS TO ALL SCHOOL DISTRICTS, INTER-
6 MEDIATE SCHOOL DISTRICTS, AND TEACHER PREPARATION PROGRAMS.
7 THESE STANDARDS SHALL BE INCLUDED IN THE RULES GOVERNING SPECIAL
8 EDUCATION PROGRAMS AND SERVICES. IN ESTABLISHING THESE STAN-
9 DARDS, THE DEPARTMENT SHALL CONSIDER THE STANDARDS ADOPTED BY THE
10 NATIONAL LIBRARY SERVICE FOR THE BLIND AND PHYSICALLY HANDICAPPED
11 OF THE UNITED STATES LIBRARY OF CONGRESS.

1 (3) WHEN A LOCAL OR INTERMEDIATE SCHOOL DISTRICT RECEIVES
2 INFORMATION FROM THE DEPARTMENT, OR INFORMATION THAT IS APPROVED
3 BY THE DEPARTMENT FROM A CONSUMER ORGANIZATION THAT ADVOCATES FOR
4 THE BLIND, DESCRIBING THE BENEFITS OF INSTRUCTION IN BRAILLE
5 READING AND WRITING, THE LOCAL OR INTERMEDIATE SCHOOL DISTRICT
6 SHALL PROVIDE THIS INFORMATION TO EACH PERSON ON THE BLIND
7 PUPIL'S INDIVIDUALIZED EDUCATIONAL PLANNING COMMITTEE.

8 (4) THE DEPARTMENT SHALL ACCEPT AND RESPOND TO REQUESTS FROM
9 LOCAL AND INTERMEDIATE SCHOOL DISTRICTS AND SHALL WORK WITH TEXT-
10 BOOK PUBLISHERS TO OBTAIN ELECTRONIC FILE FORMAT VERSIONS OF
11 TEXTBOOKS OR BRAILLE VERSIONS OF TEXTBOOKS, OR BOTH. THE DEPART-
12 MENT MAY ALSO, ON BEHALF OF LOCAL AND INTERMEDIATE SCHOOL DIS-
13 TRICTS, REQUEST AND ARRANGE FOR CONVERTING AN ELECTRONIC FILE
14 FORMAT VERSION OF A TEXTBOOK TO A BRAILLE VERSION. THE DEPART-
15 MENT SHALL PROCESS AND MAKE THESE REQUESTS IN A TIMELY MANNER.

16 (5) UPON REQUEST, A PUBLISHER OF A TEXTBOOK THAT IS ADOPTED
17 FOR INSTRUCTIONAL USE BY A SCHOOL DISTRICT SHALL FURNISH THE
18 DEPARTMENT WITH AN ELECTRONIC VERSION OF THE TEXTBOOK IF THE
19 TEXTBOOK IS FOR A LITERARY SUBJECT OR, FOR A TEXTBOOK FOR A NON-
20 LITERARY SUBJECT, IF THE TECHNOLOGY IS AVAILABLE TO CONVERT THE
21 TEXTBOOK DIRECTLY TO A FORMAT COMPATIBLE WITH BRAILLE TRANSLATION
22 SOFTWARE. A PUBLISHER SHALL NOT CHARGE A PRICE FOR THIS ELEC-
23 TRONIC VERSION THAT EXCEEDS THE PRICE IT CHARGES FOR THE PRINT OR
24 ELECTRONIC MEDIA VERSION OF THE TEXTBOOK.

25 (6) A LOCAL OR INTERMEDIATE SCHOOL DISTRICT OR AN INDIVIDU-
26 ALIZED EDUCATIONAL PLANNING COMMITTEE SHALL NOT DENY A PUPIL THE

1 OPPORTUNITY FOR INSTRUCTION IN BRAILLE READING AND WRITING SOLELY
2 BECAUSE THE PUPIL HAS SOME REMAINING VISION.

3 (7) INSTRUCTION FOR BLIND PUPILS SHALL BE CONSISTENT WITH
4 THE GOALS AND STANDARDS ESTABLISHED BY THIS STATE FOR ALL
5 PUPILS.

6 (8) AS USED IN THIS SECTION:

7 (A) "BLIND PUPIL" MEANS A PUPIL WHO IS DETERMINED TO MANI-
8 FEST 1 OR MORE OF THE FOLLOWING:

9 (i) A VISUAL ACUITY OF 20/200 OR LESS IN THE BETTER EYE
10 AFTER ROUTINE REFRACTIVE CORRECTION.

11 (ii) A FIELD OF VISION THAT IS LIMITED SO THAT THE WIDEST
12 DIAMETER OF THE VISUAL FIELD SUBTENDS AN ANGLE NOT GREATER THAN
13 20 DEGREES.

14 (iii) A MEDICALLY INDICATED EXPECTATION OF VISUAL DETERIORA-
15 TION THAT IS EXPECTED TO RESULT IN 1 OR BOTH OF THE CONDITIONS
16 DESCRIBED IN SUBPARAGRAPHS (i) AND (ii).

17 (B) "INDIVIDUALIZED EDUCATION PROGRAM" MEANS THAT TERM AS
18 DEFINED IN SECTION 614 OF PART B OF TITLE VI OF THE INDIVIDUALS
19 WITH DISABILITIES EDUCATION ACT, PUBLIC LAW 91-230, 20
20 U.S.C. 1414, OR IN R 340.1701A OF THE MICHIGAN ADMINISTRATIVE
21 CODE.

22 (C) "INDIVIDUALIZED EDUCATIONAL PLANNING COMMITTEE" MEANS
23 THAT TERM AS DEFINED IN R 340.1701A OF THE MICHIGAN ADMINISTRA-
24 TIVE CODE OR AN INDIVIDUALIZED EDUCATION PROGRAM TEAM AS DEFINED
25 IN SECTION 614 OF PART B OF TITLE VI OF THE INDIVIDUALS WITH DIS-
26 ABILITIES EDUCATION ACT, PUBLIC LAW 91-230, 20 U.S.C. 1414.

SB0658, As Passed House, May 11, 2000

Senate Bill No. 658

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1 (D) "TEXTBOOK" INCLUDES A TEXT PUBLISHED IN ELECTRONIC MEDIA
2 THAT IS USED FOR INSTRUCTIONAL PURPOSES.