

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Education

8-408.

(a) (1) In this section the following words have the meanings indicated.

(2) "Child who is blind or visually impaired" means a child who:

(i) Has a visual acuity of 20/200 or less in the better eye with correcting lenses or has a limited field of vision so that the widest diameter of the visual field subtends an angle no greater than 20 degrees;

(ii) Has a medically indicated expectation of visual deterioration; or

(iii) Has a medically diagnosed limitation in visual functioning that restricts the child's ability to read and write standard print at levels expected of other children of comparable ability and grade level.

(3) "Braille" means the system of reading and writing through touch commonly known as Standard English [Grade 2] CONTRACTED Braille.

(4) "Individualized education program" and "IEP team" have the same meaning as provided by the Individuals with Disabilities Education Act Amendments of 1997, P.L. 105-17, Section 614(d).

(5) "NATIONAL INSTRUCTIONAL MATERIALS ACCESS CENTER" MEANS THE CENTER ESTABLISHED UNDER § 674(E) OF THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT OF 2004.

(6) "NIMAS" MEANS THE NATIONAL INSTRUCTIONAL MATERIALS ACCESSIBILITY STANDARD ESTABLISHED BY THE FEDERAL SECRETARY FOR EDUCATION UNDER 20 U.S.C. 1412 TO BE USED IN THE PREPARATION OF ELECTRONIC FILES SUITABLE AND USED SOLELY FOR EFFICIENT CONVERSION INTO SPECIALIZED FORMATS.

(7) "PRINT INSTRUCTIONAL MATERIALS" MEANS PRINTED TEXTBOOKS AND RELATED PRINTED CORE MATERIALS THAT ARE WRITTEN AND PUBLISHED PRIMARILY FOR USE IN ELEMENTARY SCHOOL AND SECONDARY SCHOOL INSTRUCTION AND ARE REQUIRED BY THE DEPARTMENT OR COUNTY BOARD FOR USE BY STUDENTS IN THE CLASSROOM.

(8) "SPECIALIZED FORMATS" MEANS BRAILLE, LARGE PRINT, AUDIO, OR DIGITAL TEXT THAT IS EXCLUSIVELY FOR USE USED BY BLIND OR OTHER INDIVIDUALS WITH DISABILITIES VISUALLY IMPAIRED INDIVIDUALS.

(b) (1) In developing the individualized education program for a child who is blind or visually impaired, provisions shall be made for instruction in braille and the use of braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media,