

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

(4) "Individualized education program" [means a written description of the special education needs of the student and the special education and related services to be provided to meet those needs with goals, objectives, activities, and materials adapted to the needs, interests, and abilities of the student] 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).

(b) (1) In developing the individualized education program [for each blind or visually impaired student, it shall be presumed that proficiency in Braille reading and writing is essential to enable the student to communicate effectively and efficiently] 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, INCLUDING AN EVALUATION OF THE CHILD'S FUTURE NEEDS FOR INSTRUCTION IN BRAILLE OR THE USE OF BRAILLE, THAT SUCH INSTRUCTION OR USE IS NOT APPROPRIATE FOR THE CHILD.

(2) A [student] CHILD may not be denied the opportunity for instruction in Braille reading and writing solely because the [student] CHILD has some remaining vision.

(3) This section does not require the exclusive use of Braille if other reading and writing media are appropriate to the [student's] CHILD'S educational needs. The use of other reading and writing media does not preclude the use of Braille or the instruction of Braille.

[(4) Braille instruction and use are not required by this section if, in developing the student's individualized education program, all members of the individualized education program team concur that the student's visual impairment does not affect the student's reading and writing performance commensurate with the student's ability and in consideration of the student's future literacy needs. When a consensus cannot be reached, a blind or visually impaired student shall receive instruction in alternative media to be agreed upon by the individualized education program team and to be provided as an interim measure without prejudice to the due process rights of either party.]

(c) For the purpose of achieving successful implementation of this section, the State Board and the Professional Standards and Teacher Education Board shall adopt certification standards for teachers of blind and visually impaired students.

(d) The Department shall develop procedures to coordinate the statewide availability of textbooks and supplementary instructional materials in nonvisually accessible media.