

HOUSE BILL 1300

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4lr1235

By: **Delegates A. Washington, Braveboy, George, Howard, Ivey, A. Kelly, Valderrama, and Walker**

Introduced and read first time: February 7, 2014

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Special Education – Visually Impaired Students – Orientation and Mobility**
3 **Evaluation**

4 FOR the purpose of requiring a local school system to evaluate the orientation and
5 mobility skills of a child who is visually impaired during an initial evaluation
6 and any reevaluation for the determination of a child's eligibility for an
7 individualized education program; requiring an orientation and mobility
8 evaluation to be conducted in a certain manner; requiring certain
9 determinations or recommendations regarding the orientation and mobility
10 skills of a certain child to be included in the child's individualized education
11 program; requiring a local education agency to provide a certain notice to
12 parents or guardians of a certain child regarding the availability of certain
13 services; defining certain terms; and generally relating to an orientation and
14 mobility evaluation for visually impaired students for special education services.

15 BY adding to
16 Article – Education
17 Section 8–409
18 Annotated Code of Maryland
19 (2008 Replacement Volume and 2013 Supplement)

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

22 **Article – Education**

23 **8–409.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
2 **MEANINGS INDICATED.**

3 **(2) “CHILD WHO IS VISUALLY IMPAIRED” HAS THE SAME**
4 **MEANING AS “CHILD WHO IS BLIND OR VISUALLY IMPAIRED” AS PROVIDED IN §**
5 **8-408 OF THIS SUBTITLE.**

6 **(3) “INDIVIDUALIZED EDUCATION PROGRAM” AND “IEP” HAVE**
7 **THE SAME MEANING AS PROVIDED BY THE INDIVIDUALS WITH DISABILITIES**
8 **EDUCATION ACT.**

9 **(B) (1) IN AN INITIAL EVALUATION FOR THE DETERMINATION OF**
10 **ELIGIBILITY FOR AN INDIVIDUALIZED EDUCATION PROGRAM FOR A CHILD WHO**
11 **IS VISUALLY IMPAIRED, THE LOCAL SCHOOL SYSTEM SHALL EVALUATE THE**
12 **CHILD’S ORIENTATION AND MOBILITY SKILLS.**

13 **(2) A FORMAL ORIENTATION AND MOBILITY EVALUATION UNDER**
14 **PARAGRAPH (1) OF THIS SUBSECTION SHALL BE CONDUCTED:**

15 **(I) BY A CERTIFIED ORIENTATION AND MOBILITY**
16 **SPECIALIST; AND**

17 **(II) IN VARIOUS LIGHTING CONDITIONS AND SETTINGS,**
18 **INCLUDING AT THE CHILD’S HOME, SCHOOL, AND VARIOUS COMMUNITY-BASED**
19 **AREAS THAT ARE FAMILIAR AND UNFAMILIAR TO THE CHILD.**

20 **(C) EACH REEVALUATION OF A CHILD WHO IS VISUALLY IMPAIRED FOR**
21 **AN IEP SHALL INCLUDE AN EVALUATION OF THE CHILD’S ORIENTATION AND**
22 **MOBILITY SKILLS CONDUCTED IN ACCORDANCE WITH SUBSECTION (B) OF THIS**
23 **SECTION TO DETERMINE THE LEVEL OF SUPPORT FROM A CERTIFIED**
24 **ORIENTATION AND MOBILITY SPECIALIST REQUIRED BY THE CHILD.**

25 **(D) (1) ANY DETERMINATION OR RECOMMENDATION REGARDING**
26 **THE ORIENTATION AND MOBILITY SKILLS OF A CHILD WHO IS VISUALLY**
27 **IMPAIRED MADE DURING AN EVALUATION CONDUCTED UNDER SUBSECTION (B)**
28 **OR (C) OF THIS SECTION SHALL BE INCLUDED IN THE CHILD’S IEP.**

29 **(2) THE LOCAL EDUCATION AGENCY SHALL PROVIDE ORAL AND**
30 **WRITTEN NOTICE TO THE PARENTS OR GUARDIANS OF A CHILD WHO IS**
31 **VISUALLY IMPAIRED OF THE AVAILABILITY OF ORIENTATION AND MOBILITY**
32 **SERVICES.**

33 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
34 July 1, 2014.