

SB0538/195268/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 538
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “establishing a certain process for a certain individualized education program team to make a certain determination as to whether certain orientation and mobility instruction is appropriate for a certain child and to include it in a certain child’s individualized education program;”; in the same line, strike “evaluations” and substitute “assessments”; in line 7, strike “provided” and substitute “conducted”; in line 8, strike “evaluation” and substitute “assessment”; and in the same line, after “contain” insert “, at a minimum,”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“(2) “ASSESSMENT” MEANS THE PROCESS OF COLLECTING DATA TO BE USED BY AN IEP TEAM TO DETERMINE A STUDENT’S NEED FOR SPECIAL EDUCATION AND RELATED SERVICES.

“(3) “BRAILLE” MEANS THE SYSTEM OF READING AND WRITING THROUGH TOUCH COMMONLY KNOWN AS STANDARD ENGLISH CONTRACTED BRAILLE.”;

in lines 4, 14, 16, 19, 23, 27, and 31, strike “(2)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “(10)”, respectively; and strike lines 12 and 13 in their entirety.

On page 4, strike beginning with the colon in line 20 down through “EVALUATION” in line 21 and substitute a comma; strike beginning with the semicolon in line 23 down through “DISABILITIES” in line 25; after line 27, insert:

(Over)

“(2) (i) 1. IF THE IEP TEAM OBJECTS TO THE INCLUSION OF ORIENTATION AND MOBILITY INSTRUCTION IN THE CHILD’S INDIVIDUALIZED EDUCATION PROGRAM BECAUSE THE IEP TEAM HAS DETERMINED THAT ORIENTATION AND MOBILITY INSTRUCTION IS NOT APPROPRIATE FOR THE CHILD, THE IEP TEAM SHALL ORDER AN ORIENTATION AND MOBILITY ASSESSMENT TO BE CONDUCTED IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION.

2. AN ORIENTATION AND MOBILITY ASSESSMENT SHALL BE CONDUCTED BY A QUALIFIED INDIVIDUAL IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE DEPARTMENT.

(ii) WITHIN 30 DAYS AFTER THE DATE OF RECEIPT OF AN ORIENTATION AND MOBILITY ASSESSMENT, THE IEP TEAM THAT ORDERED THE ASSESSMENT SHALL MEET TO CONSIDER THE RESULTS OF THE ASSESSMENT AND DETERMINE WHETHER ORIENTATION AND MOBILITY INSTRUCTION IS APPROPRIATE FOR THE CHILD.

(iii) IF THE IEP TEAM DETERMINES THAT ORIENTATION AND MOBILITY INSTRUCTION IS NOT APPROPRIATE FOR THE CHILD, THE IEP TEAM MAY NOT INCLUDE ORIENTATION AND MOBILITY INSTRUCTION IN THE CHILD’S INDIVIDUALIZED EDUCATION PROGRAM.

(iv) THE DETERMINATION OF AN IEP TEAM REGARDING THE PROVISION OF ORIENTATION AND MOBILITY INSTRUCTION UNDER THIS PARAGRAPH SHALL BE BINDING FOR THE ENTIRE SCHOOL YEAR IN WHICH THE DETERMINATION IS MADE, UNLESS THERE ARE SIGNIFICANT CHANGES IN THE CIRCUMSTANCES OF THE CHILD.”;

in line 28, strike “(2)” and substitute “(3)”; in the same line, strike “INITIAL”; in the same line, strike “EVALUATION” and substitute “ASSESSMENT, AT A MINIMUM,”; strike in their entirety lines 29 through 31, inclusive; and in line 32, strike “(II)” and substitute “(I)”.

AMENDMENT NO. 3

On page 5, in lines 1 and 3, strike “(III)” and “(IV)”, respectively, and substitute “(II)” and “(III)”, respectively; in lines 10 and 14, strike “(3)” and “(4)”, respectively, and substitute “(4)” and “(5)”, respectively; in line 17, after “(II)” insert “1.”; in the same line, strike “AUGUST 1, 2016” and substitute “JANUARY 1, 2017”; after line 19, insert:

“2. THE DEPARTMENT MAY NOT ADOPT A REGULATION UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH THAT HAS THE EFFECT OF PROHIBITING A BLIND OR VISUALLY IMPAIRED INDIVIDUAL FROM BEING QUALIFIED TO PROVIDE ORIENTATION AND MOBILITY INSTRUCTION OR CONDUCT AN ORIENTATION AND MOBILITY ASSESSMENT.”;

in line 20, strike “SEPTEMBER 1, 2016” and substitute “MARCH 1, 2017”; in line 22, strike “EVALUATIONS” and substitute “ASSESSMENTS”; and in line 23, strike “(C)(2)” and substitute “(C)(3)”.