

JAN 17 2025

A BILL FOR AN ACT

RELATING TO BRAILLE LITERACY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that literacy skills are
2 fundamental to success in education, employment, and life for
3 all members of society, including individuals with low vision
4 and blindness. Braille is a tactile writing system that allows
5 low vision and blind individuals to read by touch using a system
6 of raised dots that represent letters, numbers, and symbols.
7 Braille literacy skills are widely understood as essential for
8 low vision and blind students to actively learn, seek and
9 maintain remunerative employment, engage in cultural enrichment
10 and hobbies, and access opportunities in life regardless of
11 disability.

12 According to a 2018 study conducted by the Journal of
13 Blindness Innovation and Research, "individuals who were primary
14 Braille readers since childhood had greater life satisfaction,
15 self-esteem, and job satisfaction than individuals who reported
16 not using Braille as their primary reading medium during
17 childhood." Additionally, the study found that "[f]indings



1 support the premise that Braille literacy is key to life
2 satisfaction and self-esteem in addition to academic and job
3 success" and that those who are Braille literate are more likely
4 to gain high-quality employment."

5 According to the Centers for Disease Control and
6 Prevention, more than twenty-four thousand people statewide
7 report low vision or blindness. The department of education
8 exceptional support branch supports complex areas to support
9 students with disabilities, including low vision or blindness.
10 Presently, one hundred sixty students in kindergarten through
11 twelfth grade are registered with the American Printing House
12 for the Blind to receive special education materials. However,
13 only seventeen students have Braille services in their special
14 education programs, creating a significant gap for students to
15 receive equitable educational opportunities. With limited
16 resources contingent upon individual student needs, a proactive
17 approach is imperative to ensure equity for students with low
18 vision or blindness to succeed in the classroom and prepare for
19 future careers and life goals.

20 The legislature further finds that it is in the interest of
21 the State to make Braille literacy educational services



1 available to all students and members of the greater educational
2 community. Therefore, it is necessary for the State to promote
3 Braille instruction and timely access to Braille instructional
4 materials for low vision or blind students, parents, teachers,
5 and other school personnel.

6 Accordingly, the purpose of this Act is to:

- 7 (1) Establish requirements for access to Braille
8 instructional materials;
- 9 (2) Require Braille educational services for students with
10 low vision or blindness to assess individual student
11 abilities and needs; and
- 12 (3) Establish a Braille literacy resource center within
13 the department of education.

14 This Act shall be known and cited as the Hawaii Braille
15 Literacy Education Act.

16 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
17 amended by adding a new part to be appropriately designated and
18 to read as follows:

19 **"PART . BRAILLE SERVICES**

20 **§302A- Purpose.** It is a policy of the State to promote
21 Braille literacy and support the provision of Braille



1 educational services needed for eligible low vision or blind
2 students to participate fully in school and prepare students for
3 life beyond the classroom.

4 **§302A- Definitions.** As used in this part:

5 "Braille" has the same meaning as defined in section
6 302A-442.5.

7 "Braille educational services" means any of the following:

8 (1) Assessment of an eligible low vision or blind student
9 to evaluate the student's reading and writing ability,
10 needs, and appropriate reading and writing media,
11 including an evaluation of the student's current and
12 future needs for instruction in Braille or the use of
13 Braille;

14 (2) Instruction in Braille reading and writing; and

15 (3) Provision of Braille instructional materials.

16 "Braille instructional materials" means print instructional
17 materials as defined in section 302A-442.5, that are produced in
18 Braille.

19 "Eligible low vision or blind student" means an eligible
20 student as defined in section 302A-442.5, who has low vision or
21 blindness.



1 "Individualized education program" or "IEP team" have the
2 same meanings as defined in section 614(d) of the Individuals
3 with Disabilities Education Act, title 20 United States Code
4 section 1414(d).

5 "Section 504 plan" or "section 504 plan team" means the
6 documentation of needs and provision of services developed by a
7 team assembled to ensure equal educational opportunity to a
8 student with a disability pursuant to section 504 of the
9 Rehabilitation Act of 1973, as amended.

10 **§302A- Low vision or blind students; Braille**
11 **instructional materials; educational services.** (a) To ensure
12 equal educational opportunities in accordance with section 504
13 of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended,
14 and section 614(d) of the Individuals with Disabilities
15 Education Act (20 U.S.C. 1414d), as amended, the section 504
16 plan or individualized education program, as appropriate, for a
17 low vision or blind student shall provide each student the
18 opportunity to receive Braille educational services in
19 accordance with this part.

20 (b) Any section 504 plan and individualized education
21 program, prepared for a low vision or blind student shall



1 include results of assessments of the student's reading and
2 writing ability, needs, and appropriate reading and writing
3 media, including an evaluation of the student's current and
4 future needs for instruction in Braille or the use of Braille.

5 (c) Braille educational services that include Braille
6 instruction and Braille instructional materials shall be
7 provided under an individualized education program prepared for
8 the student, and shall document the services, schedule,
9 duration, and expected outcomes and identify the Braille
10 instructional materials, including assurance that the materials
11 will be provided at the same time the corresponding print
12 instructional materials are provided to all other students in
13 accordance with section 302A-0442.5(e); provided that if
14 original Braille instructional materials are not available or
15 have not arrived at the student's school, substitute Braille
16 instructional materials shall be provided concurrent with the
17 distribution of print instructional materials for all other
18 students in accordance with section 302A-442.5(e).

19 (d) Braille educational services that include Braille
20 instructional materials, but not Braille reading and writing
21 instruction, shall be provided under a section 504 plan or an



1 individualized education program, as appropriate, including
2 documentation of the materials and assurance that the materials,
3 or substitute Braille instructional materials when original
4 materials have not arrived, shall be provided concurrent with
5 the distribution of print instructional materials for all other
6 students in accordance with section 302A-442.5(e).

7 (e) The section 504 plans or individualized education
8 programs, as appropriate, prepared for low vision or blind
9 students shall provide Braille instruction and Braille
10 instructional materials in accordance with subsections (c) and
11 (d); provided that, on an individual basis, the assessments
12 required under subsection (b) support a determination by the
13 plan or IEP team that Braille instruction or Braille
14 instructional materials are not appropriate for the student.
15 Supporting documentation shall include:

- 16 (1) The student's visual functioning behaviors and skills
17 in school, including ocular motor function, near and
18 distance vision, and field of vision;
- 19 (2) Results of the reading and writing skills and media
20 assessments, identifying the assessment tools and
21 methods used;



(3) Evaluation results of the student's current and future needs for Braille instruction and the use of Braille;

(4) Identification of all accommodations and services provided to meet the student's reading and writing needs resulting from the student's low vision or blindness; and

(5) The date of the next assessments to be made under subsection (b).

§302A- Braille literacy resource center; establishment.

(a) The department shall establish and maintain a Braille literacy resource center that shall be available for students with special needs. The Braille literacy resource center shall:

(1) Advocate for Braille educational services to be provided to eligible low vision or blind students;

(2) Obtain Braille instructional materials as needed to fulfill section 504 plans or individualized education programs in effect for eligible low vision or blind students; provided that preference shall be given to in-state suppliers when possible;



1 (3) Acquire, maintain, and make available studies,
2 reports, and other authoritative information about the
3 efficacy of Braille educational services;

4 (4) Cooperate with the department of human services when
5 requested to submit information necessary to maintain
6 a register of the blind in the State pursuant to
7 section 347-6;

8 (5) Provide eligible low vision or blind students' parents
9 or legal guardians, and the students, as appropriate,
10 with comprehensive information about Braille literacy
11 services, assistive technology devices, and assistive
12 technology services, including tools and options
13 available to assess the student's literacy needs and
14 educational programming options; and

15 (6) Participate in the development of section 504 plans
16 and individualized education programs when requested.

17 (b) The department shall designate an individual from the
18 Braille literacy resource center to serve as the ex officio
19 member of the board of trustees of the American Printing House
20 for the Blind pursuant to the federal Act to Promote the
21 Education of the Blind (20 U.S.C. 101 et seq.), as amended.



1 (c) The department may adopt rules pursuant to chapter 91
2 to carry out the purposes of this section."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2025-2026 and
6 the same sum or so much thereof as may be necessary for fiscal
7 year 2026-2027 for the establishment and operation of the
8 Braille literacy resource center.

9 The sums appropriated shall be expended by the department
10 of education for the purposes of this Act.

11 SECTION 4. This Act shall take effect on July 1, 2025.

12
INTRODUCED BY: Michelle A. Tidani



S.B. NO. 530

Report Title:

DOE; Braille; Low Vision or Blind Students; Individualized Educational Programs; Section 504 Plans; Braille Instruction; Print Instructional Materials; Braille Literacy Resource Center; Rules; Appropriations

Description:

Establishes Braille literacy as a policy of the State. Requires literacy assessments for eligible low vision and blind students to include Braille instruction and the use of Braille. Authorizes the Department of Education to adopt administrative rules. Establishes the Braille Literacy Resource Center. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

