
A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. This Act shall be known and may be cited as the
2 Hawaii Braille Literacy Education Act.

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

14 According to a 2018 study reported in the Journal of
15 Blindness Innovation and Research, "individuals who were primary
16 braille readers since childhood had greater life satisfaction,
17 self-esteem, and job satisfaction than individuals who reported



1 not using braille as their primary reading medium during
2 childhood." Additionally, the study reported that "findings
3 support the premise that braille literacy is key to life
4 satisfaction and self-esteem in addition to academic and job
5 success" and that those who are braille literate are more likely
6 to gain high-quality employment.

7 According to the Centers for Disease Control and
8 Prevention, more than twenty-four thousand people statewide
9 report low vision or blindness. The exceptional support branch
10 of the department of education helps complex areas and schools
11 in planning and implementing programs that increase achievement
12 for students with disabilities, including students with low
13 vision or blindness. Presently, one hundred seventy students in
14 kindergarten through twelfth grade are registered with the
15 American Printing House for the Blind to receive special
16 education materials. However, only about ten per cent of those
17 registered have braille services in their special education
18 programs, creating a significant gap for students to receive
19 equitable educational opportunities. With limited resources
20 contingent upon individual student needs, a proactive approach
21 is imperative to ensure equity for students with low vision or



1 blindness and help those students succeed in the classroom and
2 prepare for future careers and life goals.

3 The legislature further finds that it is in the interest of
4 the State to make braille literacy educational services
5 available to all students and members of the greater educational
6 community. Therefore, it is necessary for the State to promote
7 braille instruction and timely access to braille instructional
8 materials for low vision or blind students, parents, teachers,
9 and other school personnel.

10 Accordingly, the purpose of this Act is to require the
11 department of education to:

- 12 (1) Include the instruction of braille and provision of
13 braille instructional materials under certain
14 circumstances;
- 15 (2) Provide braille literacy support services;
- 16 (3) Cooperate with the department of human services when
17 requested to submit information necessary to maintain
18 a register of the blind in the State;
- 19 (4) Provide comprehensive information about braille
20 literacy services, assistive technology devices, and



1 assistive technology services, including educational
2 programming options; and

3 (5) Participate in the development of section 504 plans
4 and individualized education programs.

5 SECTION 3. Chapter 302A, Hawaii Revised Statutes, is
6 amended by adding a new part to be appropriately designated and
7 to read as follows:

8 **"PART . BRAILLE SERVICES**

9 **§302A- Policy.** It is a policy of the State to promote
10 braille literacy and support the provision of braille
11 educational services needed for eligible low vision or blind
12 students to fully participate in school and prepare students for
13 life beyond the classroom.

14 **§302A- Definitions.** For the purposes of this part:

15 "Braille" has the same meaning as defined in section
16 302A-442.5.

17 "Braille educational services" means:

- 18 (1) Assessment of an eligible low vision or blind student
19 to evaluate the student's reading and writing ability,
20 needs, and appropriate reading and writing media,
21 including assessment of the student's current and



1 future needs for instruction in braille or the use of
2 braille;

3 (2) Instruction in braille reading and writing; and

4 (3) Provision of braille instructional materials.

5 "Braille instructional materials" means print instructional
6 materials, as defined in section 302A-442.5, that are produced
7 in braille.

8 "Eligible low vision or blind student" means an eligible
9 student, as defined in section 302A-442.5.

10 "Individualized education program" and "individualized
11 education program team" have the same meanings as defined in the
12 Individuals with Disabilities Education Act (20 U.S.C. section
13 1414(d)), as amended.

14 "Section 504 plan" and "section 504 plan team" mean the
15 documentation of needs and provision of services developed by a
16 team assembled to ensure equal educational opportunity to
17 students with disabilities pursuant to section 504 of the
18 Rehabilitation Act of 1973 (29 U.S.C. section 794), as amended.

19 **§302A- Low vision or blind students; braille**
20 **instruction; braille instructional materials; educational**
21 **services.** (a) The department shall ensure that the section 504



1 plan or individualized education program for an eligible low
2 vision or blind student provides each student with the
3 opportunity to receive braille educational services in
4 accordance with this part.

5 (b) Any section 504 plan or individualized education
6 program prepared for an eligible low vision or blind student
7 shall consider results of the initial or most recent assessments
8 of the student's reading and writing ability, needs, and
9 appropriate reading and writing media, using one or more reading
10 assessment tools, which have been approved by the department as
11 validated for use with eligible low vision or blind students.

12 (c) Braille educational services that include braille
13 instruction and braille instructional materials shall be
14 provided under an individualized education program prepared for
15 the student, unless the individualized education program team
16 finds that braille instructional services or braille
17 instructional materials are not appropriate as determined
18 pursuant to subsection (e).

19 (d) Each section 504 plan or individualized education
20 program that includes the provision of braille instructional
21 materials shall include an assurance that the materials or



1 substitute braille instructional materials, when original
2 materials have not arrived at the student's school, shall be
3 provided concurrently with the distribution of print
4 instructional materials for all other students in accordance
5 with section 302A-442.5(e).

6 (e) Subsection (c) may not apply if consideration of the
7 initial or most recent assessments required under subsection (b)
8 support a determination by the section 504 plan team or
9 individualized education program team that braille instruction
10 or braille instructional materials are not appropriate for the
11 student, as documented in the section 504 plan or individualized
12 education program. This determination shall be supported by
13 documentation of:

- 14 (1) The student's visual functioning behaviors and skills
15 in school, including but not limited to ocular motor
16 function and near, distance, and field of vision, to
17 ensure that the student's visual needs are addressed;
- 18 (2) Results of reading and writing skills and media
19 assessments, identifying the assessment tools and
20 methods used;



1 (3) Results of assessments of the student's current and
2 future needs for braille instruction and the use of
3 braille;

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

8 (5) The date of any new assessment agreed upon by the
9 section 504 plan team or individualized education
10 program team.

11 **§302A- Braille literacy support services.** (a) Braille
12 literacy support services shall be provided by the department
13 and shall include:

14 (1) One or more reading media assessment tools validated
15 for use with low vision or blind students;

16 (2) Braille instructional materials as needed to fulfill
17 section 504 plans and individualized education
18 programs; provided that preference shall be given to
19 braille instructional materials provided by in-state
20 suppliers when possible; and



1 (3) Authoritative information about the efficacy of
2 braille educational services.

3 (b) The department shall:

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

8 (2) 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 educational programming
13 options; and

14 (3) Participate in the development of section 504 plans
15 and individualized education programs.

16 (c) The department may adopt rules pursuant to chapter 91
17 to carry out the purposes of this part."

18 SECTION 4. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2026-2027 to
21 implement the Hawaii Braille Literacy Education Act.



1 The sum appropriated shall be expended by the department of
2 education for the purposes of this Act.

3 SECTION 5. This Act shall take effect on July 31, 2055.



Report Title:

DOE; Braille Instruction; Braille Instructional Materials;
Section 504 Plans; Individualized Education Programs; Braille
Literacy Support Services; Appropriation

Description:

Requires the Department of Education to include the instruction of braille and provision of braille instructional materials under certain circumstances; provide braille literacy support services; cooperate with the Department of Human Services when requested to submit information necessary to maintain a register of the blind in the State; provide comprehensive information about braille literacy services, assistive technology devices, and assistive technology services, including educational programming options; and participate in the development of section 504 plans and individualized education programs. Appropriates funds. Effective 7/31/2055. (SD1)

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