

AMENDED IN SENATE JUNE 15, 2014

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 9, 2013

AMENDED IN ASSEMBLY APRIL 3, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 455

**Introduced by Assembly Member Medina
(Coauthor: Assembly Member Quirk)**

February 19, 2013

An act to amend Sections 56351.7, 56351.8, and 56351.9 of, and to add Article 3.6 (commencing with Section 56355) to Chapter 4 of Part 30 of Division 4 of Title 2 of, the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 455, as amended, Medina. Pupil instruction: special education: blind and visually impaired pupils: ~~deaf and hard-of-hearing pupils.~~ *Deaf or Hard-of-Hearing pupils.*

(1) Existing law requires the Superintendent of Public Instruction to form an advisory task force to develop standards for the mastery of the braille code as a child progresses through kindergarten and grades 1 to 12, inclusive. Existing law requires the Superintendent to utilize this advisory task force to develop standards for visually impaired pupils to learn, and achieve mastery of, the braille mathematics code, and requires the task force to report those standards to the State Board of Education by March 1, 2006.

This bill would replace the advisory task force with a group of experts on the blind and visually impaired, as described, and would require the Superintendent, upon consultation with the group of experts, to develop standards that are aligned to the common core academic content standards for blind and visually impaired pupils to learn, and achieve the mastery of and literacy in, the braille code and the braille mathematics code. The bill would require the Superintendent to recommend those standards to the state board by ~~March 30, 2015~~: *May 31, 2016*.

This bill would additionally require the Superintendent, upon consultation with a group of experts on the Deaf ~~and hard-of-hearing~~, *or Hard-of-Hearing*, to develop standards that are aligned to the common core academic content standards, for Deaf ~~and hard-of-hearing~~ *or Hard-of-Hearing* pupils to learn, and achieve the mastery of and literacy in, American Sign Language as a pupil progresses through kindergarten and grades 1 to 12, inclusive. The bill would require the Superintendent to recommend these standards to the state board by ~~March 30, 2015~~: *May 31, 2016*.

(2) Existing law requires the state board to adopt braille reading and mathematics standards for visually impaired pupils by June 1, 2006.

This bill would require the state board to adopt braille reading and mathematics standards for blind and visually impaired pupils that are aligned to the common core academic content standards by June 30, ~~2015, 2016~~, as specified. The bill would ~~require~~ *authorize* county offices of education, school districts, and special education local plan areas to provide blind and visually impaired pupils opportunities for instruction to master the standards adopted by the state board, ~~thereby imposing a state-mandated local program~~: *board. The bill would specify that the standards are to be advisory and are not intended to interfere with a pupil's individualized education program.*

This bill would also require the state board to adopt American Sign Language standards for Deaf ~~and hard-of-hearing~~ *or Hard-of-Hearing* pupils that are aligned to the common core academic content standards by June 30, ~~2015, 2016~~, as specified. The bill would ~~require~~ *authorize* county offices of education, school districts, and special education local plan areas to provide Deaf ~~and hard-of-hearing~~ *or Hard-of-Hearing* pupils opportunities for instruction to master the standards adopted by the state board, ~~thereby imposing a state-mandated local program~~: *board. The bill would specify that the standards are to be advisory and are*

not intended to interfere with a pupil's individualized education program.

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: *yes-no*.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56351.7 of the Education Code is
2 amended to read:

3 56351.7. (a) The Superintendent shall consult with a group of
4 experts on the blind and visually impaired to develop standards
5 that are aligned to the common core academic content standards
6 to learn, and achieve the mastery of and literacy in, the braille code
7 as a pupil progresses through kindergarten and grades 1 to 12,
8 inclusive.

9 (b) The group of experts shall include, but shall not be limited
10 to, members representing all of the following:

11 (1) Parents of blind and visually impaired pupils.

12 (2) Teachers of blind and visually impaired pupils *who are*
13 *currently and actively engaged in the teaching of braille.*

14 (3) Researchers in the field of blindness and visual impairment.

15 (4) Curriculum and instructional specialists with experience
16 with blind and visually impaired pupils.

17 ~~(5) Groups that advocate for the teaching of, and the use of,~~
18 ~~braille.~~

19 *(5) Blind persons or organizations who use and promote the*
20 *reading and writing of braille.*

21 (c) At least one-half of the members of the group of experts
22 shall be currently employed public schoolteachers.

23 (d) The Superintendent shall make a recommendation to the
24 state board regarding the standards developed pursuant to
25 subdivision (a) by ~~March 30, 2015.~~ *May 31, 2016.*

1 SEC. 2. Section 56351.8 of the Education Code is amended to
2 read:

3 56351.8. (a) The Superintendent shall consult with the group
4 of experts established pursuant to Section 56351.7 to develop
5 standards that are aligned to the common core academic content
6 standards for pupils described in subdivision (b) to learn, and to
7 achieve mastery of and literacy in, the braille mathematics code
8 as they progress through kindergarten and grades 1 to 12, inclusive.

9 (b) The standards described in subdivision (a) shall be developed
10 for pupils who, due to a visual impairment, are functionally blind
11 or may be expected to have a need to learn the braille code as their
12 primary literacy mode for learning.

13 (c) The Superintendent shall make a recommendation to the
14 state board regarding the standards developed pursuant to
15 subdivision (a) by ~~March 30, 2015~~. *May 31, 2016*.

16 SEC. 3. Section 56351.9 of the Education Code is amended to
17 read:

18 56351.9. (a) Except as provided in subdivision (c), by June
19 ~~30, 2015~~, *2016*, the state board shall adopt braille reading and
20 mathematics standards that are aligned to the common core
21 academic content standards for pupils who, due to a visual
22 impairment, are functionally blind or may be expected to have a
23 need to learn the braille code as their primary literacy mode for
24 learning.

25 (b) County offices of education, school districts, and special
26 education local plan areas ~~shall~~ *may* provide to pupils described
27 in subdivision (a) opportunities for instruction to master the braille
28 reading and mathematics standards adopted by the state board.
29 *The standards shall be advisory and are not intended to interfere*
30 *with a pupil's individualized education program.*

31 (c) (1) The state board shall, if it revises braille reading or
32 mathematics standards recommended by the Superintendent,
33 provide written reasons for the revisions at a regularly scheduled
34 public meeting held pursuant to the Bagley-Keene Open Meeting
35 Act (Article 9 (commencing with Section 11120) of Chapter 1 of
36 Part 1 of Division 3 of Title 2 of the Government Code).

37 (2) The state board shall adopt the revised braille reading and
38 mathematics standards at a meeting subsequent to the meeting held
39 pursuant to paragraph (1) but no later than ~~August 31, 2015~~. *July*
40 *31, 2016*.

1 SEC. 4. Article 3.6 (commencing with Section 56355) is added
2 to Chapter 4 of Part 30 of Division 4 of Title 2 of the Education
3 Code, to read:

4
5 Article 3.6. Individualized Education Program for Deaf and
6 ~~Hard-of-hearing~~ or *Hard-of-Hearing* Pupils
7

8 56355. (a) The Superintendent shall consult with a group of
9 experts on the Deaf and ~~hard-of-hearing~~ or *Hard-of-Hearing* to
10 develop standards that are aligned to the common core academic
11 content standards to learn, and achieve the mastery of and literacy
12 in, American Sign Language as a pupil progresses through
13 kindergarten and grades 1 to 12, inclusive.

14 (b) The group of experts shall include, but shall not be limited
15 to, members representing all of the following:

16 (1) Parents of ~~Deaf and hard-of-hearing pupils~~. *pupils who are*
17 *Deaf or Hard-of-Hearing.*

18 (2) Teachers of ~~Deaf and hard-of-hearing pupils~~. *pupils who*
19 *are Deaf or Hard-of-Hearing.*

20 (3) Researchers in the field of deafness and auditory impairment.

21 (4) Curriculum and instructional specialists with experience
22 with ~~Deaf and hard-of-hearing pupils~~. *pupils who are Deaf or*
23 *Hard-of-Hearing.*

24 (5) Groups that advocate for the teaching of, and the use of,
25 American Sign Language.

26 (c) At least one-half of the members of the group of experts
27 shall be currently employed public schoolteachers.

28 (d) The standards described in subdivision (a) shall be developed
29 for pupils who are Deaf or ~~hard-of-hearing~~ *Hard-of-Hearing* and
30 ~~who~~ use American Sign Language as their primary language or
31 literacy access ~~mode~~. *mode, as defined in the pupil's individualized*
32 *education program.*

33 (e) The Superintendent shall make a recommendation to the
34 state board regarding the standards developed pursuant to
35 subdivision (a) by ~~March 30, 2015~~. *May 31, 2016.*

36 56356. (a) Except as provided in subdivision (c), by June 30,
37 ~~2015~~, *2016*, the state board shall adopt American Sign Language
38 literacy standards that are aligned to the common core academic
39 content standards for pupils who are Deaf or ~~hard-of-hearing~~
40 *Hard-of-Hearing* and use American Sign Language as their primary

1 language or literacy access ~~mode~~. *mode, as defined in the pupil's*
 2 *individualized education program. The standards are intended for*
 3 *pupils who are Deaf or Hard-of-Hearing, do not use American*
 4 *Sign Language as their primary language, and instead access a*
 5 *general education curriculum by use of amplification, residual*
 6 *hearing, listen and spoken language, cued speech, or sign*
 7 *supported speech.*

8 (b) County offices of education, school districts, and special
 9 education local plan areas ~~shall~~ *may* provide to pupils described
 10 in subdivision (a) opportunities for instruction to master the
 11 American Sign Language literacy standards adopted by the state
 12 board. *The standards shall be advisory and are not intended to*
 13 *interfere with a pupil's individualized education program.*

14 (c) (1) The state board shall, if it revises American Sign
 15 Language literacy standards recommended by the Superintendent,
 16 provide written reasons for the revisions at a regularly scheduled
 17 public meeting held pursuant to the Bagley-Keene Open Meeting
 18 Act (Article 9 (commencing with Section 11120) of Chapter 1 of
 19 Part 1 of Division 3 of Title 2 of the Government Code).

20 (2) The state board shall adopt the revised standards at a meeting
 21 subsequent to the meeting held pursuant to paragraph (1) but no
 22 later than ~~August 31, 2015~~. *July 31, 2016.*

23 ~~SEC. 5. If the Commission on State Mandates determines that~~
 24 ~~this act contains costs mandated by the state, reimbursement to~~
 25 ~~local agencies and school districts for those costs shall be made~~
 26 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
 27 ~~4 of Title 2 of the Government Code.~~