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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

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**Bill No:** AB 947 **Hearing Date:** June 5, 2019  
**Author:** Quirk-Silva  
**Version:** April 2, 2019  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Ian Johnson

**Subject:** Visually impaired pupils: expanded core curriculum.

### SUMMARY

This bill establishes an expanded core curriculum for students who are blind, have low vision, or are visually impaired and authorizes local educational agencies (LEAs) to consider the expanded core curriculum when developing students' individualized education programs.

### BACKGROUND

Existing law:

- 1) Requires, through state and federal law, that children with exceptional needs between the ages of three and 22 be provided with a free and appropriate education, and establishes visual impairment, including blindness, as one of thirteen qualifying disability categories.
- 2) Establishes a services credential with a specialization in clinical or rehabilitative services, to be issued by the Commission on Teacher Credentialing (CTC), which authorizes holders to provide services either in orientation and mobility.
- 3) Requires that students who are visually impaired be taught by teachers whose professional preparation and credential authorization are specific to that impairment.
- 4) Requires that braille instruction be provided by a teacher who holds an appropriate credential, as determined by the CTC, to teach students who are functionally blind or visually impaired.
- 5) Requires LEAs to provide opportunities for braille instruction for students who, due to a prognosis of visual deterioration, may be expected to have a need for braille as a reading medium.
- 6) Requires LEAs and Special Education Local Plan Areas to provide students with opportunities for instruction to master the braille reading and mathematics standards.
- 7) Requires that a functional vision assessment be used as one criterion to determine the appropriate reading medium or media for a student.

**ANALYSIS**

This bill:

- 1) Expresses legislative intent that, in order for pupils who are blind or who have a visual impairment to receive an education that will enable them to maximize their potential, it is essential that these pupils receive instruction in the expanded core curriculum (ECC), which is a group of concepts and skills that often require specialized instruction in order to compensate for decreased opportunities to learn incidentally by observing others.
- 2) Establishes the ECC as a set of knowledge and skills in which instruction or services, or both, may be beneficial to a pupil who is blind, has low vision, or is visually impaired.
- 3) Authorizes local educational agencies (LEAs) to consider the expanded core curriculum when developing individualized education programs for a pupil who is blind, has low vision, or is visually impaired.
- 4) Defines the ECC to be all of the following:
  - a) Compensatory skills, such as braille and concept development and other skills needed to access the core curriculum.
  - b) Orientation and mobility.
  - c) Social interaction skills.
  - d) Career technical education.
  - e) Assistive technology, including optical devices.
  - f) Independent living skills.
  - g) Recreation and leisure.
  - h) Self-determination.
  - i) Sensory efficiency.
- 5) Requires that, if an orientation and mobility evaluation is determined to be needed for a pupil who is blind, has low vision, or is visually impaired, it shall be conducted by a person who is appropriately certified as an orientation and mobility specialist.
- 6) Requires the orientation and mobility evaluations described above to occur in familiar and unfamiliar environments, in varying lighting conditions, and in the home, school, and community, as appropriate.

- 7) Prohibits an local educational agency (LEA) from imposing any limitations that result in the preclusion or the limitation of the ability of a pupil to receive instruction in orientation and mobility services in the home, school, or community setting and in varying lighting conditions, as designated in the pupil's individualized education program.
- 8) Allows a LEA to require annual written parental consent to provide the services described above when those services are provided before or after regular school hours and when those services are provided away from the schoolsite.
- 9) Specifies that if an LEA prohibits an orientation and mobility specialist from using their vehicles for the transportation of pupils to and from orientation and mobility instruction, the LEA shall provide, without cost to the orientation and mobility specialist, an equally effective transportation alternative for that purpose.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "A student's chance at leading a full and productive life should not be diminished by a visual impairment. This bill will ensure that students with visual impairments receive an equal and appropriate public education which is safe for them and comparable to that of their peers. The accessibility of education will lead to a future in which it is easier for visually impaired students to more confidently pursue their goals, such as graduating from high school, attending an institution of higher education, and joining the workforce."
- 2) ***Students who are visually impaired.*** Current law defines "visually impaired" students as those who are functionally blind or who have low vision. The California Department of Education (CDE) reports that as of December, 2016, there were 3,565 visually impaired students in California aged 0-22 years, representing about 0.5 percent of all students with disabilities in California. This represents a decline over the prior ten years. CDE reports that in the 2006-07 school year there were 4,697 visually impaired students in the same age range.

Because state assessment scores for students with disabilities are not disaggregated by disability category, there is no published state data about the performance of these students (or any other group of students with disabilities) on state assessments of English language arts, mathematics, or science.

To be eligible for special education, a pupil must have a visual impairment that, even with correction, adversely affects a pupil's learning of curriculum. For educational purposes, the term visually impaired includes: 1) functionally blind students who, because of the severity of their visual impairment, rely basically on senses other than vision as their major channels for learning; and 2) low vision students who use vision as a major channel for learning. A visual impairment does not include visual perceptual or visual motor dysfunction resulting solely from a learning disability.

- 3) ***What is the expanded core curriculum?*** According to the American Foundation for the Blind, the Expanded Core Curriculum is the body of

knowledge and skills that are needed by students with visual impairments due to their unique disability-specific needs. The Foundation states that students with visual impairments need the Expanded Core Curriculum (ECC) in addition to the core academic curriculum of general education, and that the ECC should be used as a framework for assessing students, planning individual goals and providing instruction.

- 4) ***Development of an Individualized Education Program.*** An Individualized Education Program (IEP) is a written statement of the educational program designed to meet a child's individual needs. Every child who receives special education services must have an IEP. The purpose of the IEP is to set reasonable learning goals for a child and to state the services that the local educational agency will provide. The IEP is developed by a team of individuals that includes key school staff and the child's parents. The team meets, reviews the assessment information available about the child, and designs an educational program to address the child's educational needs. An IEP meeting must be held within 30 calendar days after it is determined, through a full and individual evaluation, that a child has one of the disabilities listed in state and federal special education law and needs special education and related services. Students' IEPs must be reviewed at least annually to determine whether the annual goals are being achieved and must be revised as appropriate.
- 5) ***Academic performance of students with disabilities.*** Viewed as a whole, there is a significant achievement gap between students with disabilities and their peers. The Legislative Analyst's Office notes that while performance on standardized tests (including those specifically designed for students with disabilities) has improved over the past several years, a majority of students with disabilities still fail to meet state and federal achievement expectations, that 60 percent of these students graduate on time with a high school diploma (compared to 83 percent of all students), and about two-thirds of are engaged productively after high school (with about half enrolled in an institute of higher education and 15 percent competitively employed within one year after high school). There is no published state data about the performance of these students (or any other subgroup of students with disabilities) on state assessments of English language arts, mathematics, or science.

## **SUPPORT**

California Council of the Blind  
Disability Rights California  
State Independent Living Council

## **OPPOSITION**

None received

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