



Winter 2016 Edition: Legislative Trends Report

With the recent reauthorization of ESEA, attention on Capitol Hill is beginning to focus on another long-overdue federal education statute: IDEA. For the winter edition of the *AASA Legislative Trends Report*, we decided to examine whether there were any state legislative trends pertaining to special education students, programs and personnel since 2013. Specifically, we wanted to trace whether there were any trends related to dyslexia and IEP processes that could potentially impact discussions on these issues at the federal level during IDEA reauthorization. Our findings are below.

Dyslexia

Prior to 2014, nine states had some type of legislation on the books related to educating dyslexic students. This legislation could consist of a pilot program on how to train teachers to work with dyslexic students or be as far-reaching as requiring all teacher preparation candidates to be instructed on how to work with dyslexic students. In a dramatic shift, since 2013, 18 states enacted legislation related to dyslexia. The vast majority of these states had no previous law pertaining to dyslexic students on the books. Subsequently, dyslexia related legislation garnered far more attention than any other special education issue in state capitols. An active, ad-hoc parents group, DeCoding Dyslexia, takes considerable credit for this wave of state legislation.

While every state bill differs slightly (see appendix), there are legislative trends evident throughout many of the bills that were recently signed into law. For example, 8 states now have a specific definition of dyslexia (ME, CT, IN, AR, IL, TN, IA, AZ). New requirements and programs that are state-managed are also a trend. Four states (NV, ME, CA, IA) have a requirement for the State to provide professional development for school personnel or guidelines about how to evaluate and educate dyslexic students. Two states (ME, NV) have a requirement that there be a Dyslexia Consultant or Specialist appointed at the State level to provide support and information to school personnel as well as dyslexia awareness training. Two states (PA and UT) have initiated pilot programs related to dyslexia. Utah has a pilot program that provides professional development for educators on how to intervene for students experiencing reading difficulties, including dyslexia, while Pennsylvania has a program to provide early screening and intervention services for students with risk factors for dyslexia.

There are remarkable new requirements placed on districts in how they identify and serve dyslexic students in several states. Three states (CT, NV, TN) require districts to provide professional development to teachers on detection and appropriate interventions for dyslexic students. Three states (NV, AR, ME) have remarkably similar legislation requiring districts to address the needs of dyslexic students. They mandate that districts screen all students K-2 for dyslexia as well as students grades 3 and up if they are found to struggle with these specific skills: phonological and phonemic awareness

sound-symbol recognition, alphabet knowledge, decoding skills, rapid naming skills, and encoding skills. However, Nevada and Arkansas' law go a step beyond Maine's law in the following ways:

- A requirement that the RTI process be used in evaluating whether a child is dyslexic.
- A requirement that the district shall provide a comprehensive dyslexia evaluation in addition to the RTI system of instruction and share the results of the evaluation with parents.
- An explicit requirement that parents be notified of their right to request an IEE after a dyslexia evaluation is completed.
- A requirement pertaining to school personnel who work to evaluate students for dyslexia and provide on-going professional development and support for teachers. Every district in Arkansas must employ someone who meets the qualifications of a dyslexia therapy specialist while every regional training center in Nevada must employ someone who acts as a dyslexia specialist.

There is also trend pertaining to teacher preparation programs and training in identifying dyslexia. Three states (CT, NV,IN) states require teacher preparation institutions to provide instruction on dyslexia to teacher candidates. Three states also touch on teacher preparation requirements pertaining to dyslexic students, but take different approaches. Tennessee requires institutes of higher education to report on how they are instructing prospective teachers in the area of dyslexia. Indiana requires teacher preparation programs to include content that prepares teacher candidates to recognize a student who may need to be screened for dyslexia, while Oregon requires teacher prep institutions to adopt standards that ensure teachers can instruct dyslexic students in a manner that is consistent with the knowledge and practice standards of an international organization on dyslexia.

Nevada requires the results of the early literacy screenings conducted on K-2 students to be embedded into the district accountability assessments. While we don't consider this a trend, as states redesign their accountability system under the new reauthorization of ESEA, there may be a push by DeCoding Dyslexia groups operating in other states to have a similar requirement.

IEP legislation

Two states tackled issues related to the role of the general education teacher in reviewing and understanding an IEP. In Texas, the regular education teacher is required to provide input into the IEP process. It specifies that if the teacher or any other members of the IEP team disagrees with the IEP, they must produce a statement to be included in the student's record about their areas of disagreement. In West Virginia, if a non-special education teacher does not participate in the IEP meeting, he or she must acknowledge reading and understanding the student's IEP by signing a copy of it. This goes beyond the regular education teacher and applies to all teachers who may educate the student with the IEP, including music, art, and driver education teachers. In addition, it clarifies that all teachers must help special education students succeed in class by making any needed identified accommodations or modifications to the class, curriculum, etc.

Delaware and Maryland both changed their state laws to clarify new and old aspects of the procedural notification process. In Maryland, any parents attending an initial special education evaluation meeting

must be provided specific verbal and written explanations of their rights and responsibilities as well as a notice indicating they can request these documents at any meeting thereafter. This information must be conveyed in plain language. In Delaware, a host of new requirements are placed on districts:

- Schools must develop and facilitate a council for parents of students with disabilities.
- Formal minutes may be taken at any IEP meeting and the cost of the minutes are on the party requesting the formal recording.
- The district must provide parents with specific contact information for existing parent assistance programs, legal assistance programs, and the Delaware State Bar Association members who can assist parents with any issues.
- Prior to any IEP meeting, the district must also provide a separate questionnaire requesting the input of a child's parent and, where appropriate, a child, with respect to the child's progress to date and additional proposed steps that should be taken to adjust the child's goals, curriculum, services, aids, modifications, or other elements of the child's individualized education program.
- A district must also provide a copy of a draft IEP to the parent ahead of the IEP meeting indicating that the document is a draft for discussion.
- A district must also provide notice that prior to an IEP meeting a parent may request any data in the district's possession relevant to the child's needs or disability and the presence of any teacher, paraprofessional, and any additional staff members of their choosing at an individualized education program meeting.

Diplomas

Four states amended their statutory provisions pertaining to high school diplomas or graduation ceremonies for special education students. In Georgia and Louisiana, special education students no longer have to pass the state test to be issued a standard diploma. In Georgia, general education students may also receive a diploma without passing the high school graduation tests. In addition, a special education student who did not receive a diploma for failure to pass the Georgia high school graduation tests is now eligible to receive a diploma by petitioning the school board. In contrast, in Louisiana, a student with a disability can receive a standard high school diploma based on achieving his IEP goals and through completing other criteria decided by the IEP team.

In Indiana, a new requirement mandates there be a discussion of the type a diploma a student with a disability will pursue beginning in eighth grade. Beginning in ninth grade, the student's teacher shall communicate at least one time each grading period with the student's parents how the student is progressing toward the selected diploma. Parents may request a meeting to discuss the student's progress toward achieving a diploma with the teacher at any time.

West Virginia changed its law to permit special education students receiving a modified diploma to participate in high school graduation ceremonies.

Education of Deaf and/or Blind Students

Three states passed legislation impacting the education of deaf and blind students.

Louisiana's law places a new requirement in place to include a communication plan in a student's IEP or accommodation plan if the student is deaf, hard of hearing or deaf and blind. It also reiterates that public schools must provide children who are deaf and/or blind with access to qualified teachers, interpreters and resource personnel who will communicate effectively with each child in that child's mode of communication as well an appropriate placement best suited to the student's need that considers the child's social, emotional and cultural needs as well as their academic level, amount of family support and many other factors.

In Maryland, legislation was enacted that requires that orientation and mobility instruction be included in the IEP of any child who is blind or visually impaired unless the IEP determines that it is not appropriate. Schools must provide notice to parent of mobility and orientation assessment each year. If any IEP member objects to orientation and mobility instruction, then a mobility and orientation assessment must be conducted and, within 30 days of mobility and orientation assessment, the IEP team must reconvene to consider the assessment results.

A new law in Virginia requires each local school board to annually post on the district's website information describing the educational and other services available to students who are identified as hearing impaired or visually impaired through the Virginia School for the Deaf and the Blind, the Virginia Department for the Blind and Vision Impaired.

Physical education

Two states, New Jersey and Texas, clarified that students with disabilities have access to the necessary modifications that permit them to participate in physical education programs. New Jersey also specifies that students with disabilities have equal opportunities to try out and participate in athletic programs to the maximum extent practicable.

Transportation and LRE

Two states passed legislation related to transporting special education students to students alongside general education students. In Louisiana, the district is required to provide transportation services to students with disabilities consistent with the least restrictive environment provisions in IDEA. New Hampshire now allows pupils receiving special education services to be transported in mixed use school buses unless prohibited by their IEP.

APPENDIX

Dyslexia Legislation

California, 10/15: State must develop program guidelines for dyslexia to be used to assist regular education teachers, special education teachers, and parents to identify and assess pupils with dyslexia, and to plan, provide, evaluate, and improve educational services, as defined, to pupils with dyslexia. The program guidelines shall include, but shall not be limited to, characteristics typical of pupils with dyslexia and strategies for their remediation, as well as information to assist educators in distinguishing between characteristics of dyslexia and characteristics of normal growth and development. In developing program guidelines the State Superintendent shall consult with teachers, school administrators, other educational professionals, medical professionals, parents, and other professionals involved in the identification and education of pupils with dyslexia.

Maine, 7/15: Defines Dyslexia. Requires school to screen all students from kindergarten to grade 2 for dyslexia as well as any students who have not previously been screened and have transferred from outside the State to evaluate the following: phonological and phonemic awareness, sound-symbol recognition; alphabet knowledge; decoding skills, rapid naming skills, and encoding skills. Schools shall also screen students grades 3 to 12 who have difficulty, as noted by a classroom teacher with the aforementioned skills. The State shall appoint a Dyslexia Consultant, to provide support and information to school personnel, specifically dyslexia awareness training. The training must include courses specifically designed to prepare educators to provide structured language intervention techniques and strategies needed for students with dyslexia.

New Hampshire, 6/15: Establishes Committee to study policies which it determines is necessary for dyslexic students.

CT, 6/15: Defines Dyslexia requires employee of Department of Education to be responsible for providing information and assistance to the public regarding dyslexia. Requires teacher prep programs to include, at a minimum, 12 hours of instruction in detection and recognition of, evidence-based structured literacy interventions for students with dyslexia. Each school board shall hold training for teachers, admins, and other school personnel on the detection and recognition of, and evidence-based structured literacy interventions for, students with dyslexia. The State shall develop reading assessments for grades k-3 that will be used, among other things, to identify students for dyslexia.

Oregon, 6/15: Education prep institutions must adopt standards that require programs for teachers of early childhood education, elementary education, special education or reading provide instruction on dyslexia and that the instruction be consistent with the knowledge and practice standards of an international organization on dyslexia.

Nevada 6/15: Requires districts and higher education institutions to have within their accountability system the results of early literacy screening assessments. Requires each school district to administer an assessment that screens for phonological and phonemic awareness; sound-symbol recognition; alphabet knowledge; decoding skills; rapid naming skills; and encoding skills. The screening must be administered

to every pupil enrolled in Kindergarten and grades 1 and 2 at the beginning of each school year as well as students in Kindergarten and grades 1 and 2 who transferred from out-of-state or has no documentation that he has taken the early literacy screening assessment or something similar in the past. Students Grade 3 or higher must also be given the assessment when his or her regular classroom teacher determines that he or she has difficulty with any of the aforementioned skills.

If an early literacy screening assessment administered suggests a student could be dyslexia, the district shall provide notice to the parent that includes the results of the assessment and addresses the needs of the pupil through RTI. If the RTI system determines that a pupil needs additional screening in order to determine whether he is dyslexic, the student must receive additional testing by trained professionals using a norm-referenced test. The district shall provide a comprehensive dyslexia evaluation in addition to the RTI system of instruction and the parent has a right to an IEE.

If the evaluation indicates a student has dyslexia the district will provide dyslexia therapy and ADA accommodations. The dyslexia therapy provided by a school district must include, without limitation, the following instructional approaches: explicit, direct instruction that is systematic, sequential and cumulative and follows a logical plan of presenting the alphabetic principle that targets the specific needs of the pupil without presuming prior skills or knowledge of the pupil; individualized instruction to meet the specific needs of the pupil in a small group setting that uses intensive, highly concentrated instruction methods and materials that maximize pupil engagement; meaning-based instruction directed at purposeful reading and writing, with an emphasis on comprehension and composition; and multisensory instruction that incorporates the simultaneous use of two or more sensory pathways during teacher presentations and pupil practice.

The State Department must designate a full-time employee to serve as a dyslexia specialist. The Department shall ensure that each regional training program for the professional development of teachers and administrators employs at least one dyslexia specialist to provide necessary information and support to the school districts. Each school district shall provide professional development regarding dyslexia for teachers and other educational personnel. The professional development provided pursuant to must include, without limitation, instruction on the indicators for dyslexia and the science related to teaching a pupil who has dyslexia and may be provided on the Internet, by a regional training program for the professional development of teachers. The Department shall prepare and publish a Dyslexia Resource Guide as a guide for each school district to use to identify and provide dyslexia therapy for pupils with dyslexia.

Institutions of higher education must ensure all teacher candidates have received training on how to identify a student with dyslexia.

Maryland, 5/15: Establishes a task force to study implementation of a dyslexia education program. Requires task force to determine current practices for identifying and treating dyslexia and to make recommendations related to funding a dyslexia education program.

Utah 5/15: This legislation created a pilot program to provide professional development for educators and literacy interventions to students in kindergarten through grade five who are at risk for or experiencing reading difficulties, including dyslexia. The pilot program is available to 5 school districts.

5/15, Indiana: Defines dyslexia and describes academic limitations of dyslexic students. Allows education service center to offer training on dyslexia to teachers. A teacher preparation program shall include content within the curriculum that prepares teacher candidates to recognize that a student who is not progressing at a normal rate related to reading may need to be referred to the school's multidisciplinary team to determine the student's special learning needs, including learning needs related to dyslexia.

4/15, AR: Defines dyslexia. Requires schools to screen all students from kindergarten to grade 2 for dyslexia as well as any students who have not previously been screened and have transferred from outside the State to evaluate the following: phonological and phonemic awareness, sound-symbol recognition; alphabet knowledge; decoding skills, rapid naming skills, and encoding skills. Schools shall also screen students grades 3 to 12 who have difficulty, as noted by a classroom teacher with the aforementioned skills. A student can be exempt from screening if the student presents documentation that the student had a similar screening in another state or school. Each ESA or LEA must have a Dyslexia Specialist who is fluent in RTI, and can provide screenings, analysis, and appropriate interventions regarding dyslexia. If there is a level 2 dyslexia screening, then the student must be provided services for dyslexia and any accommodations they need via a 504 plan. If a student's performance on an initial screener, level 1 or 2 screening, indicates indicate a need for dyslexia therapy intervention services, the student's parent or legal guardian shall be notified of the results of the dyslexia evaluation; and provided with information and resource material, including common indicators characteristics of dyslexia; appropriate classroom interventions and accommodations for students with dyslexia; and the right of the parent or legal guardian to have the student receive an independent, comprehensive dyslexia evaluation.

If a parent or legal guardian chooses to have an independent comprehensive dyslexia evaluation for the student, the parent shall select an individual to perform the comprehensive dyslexia evaluation and cover the cost of the comprehensive dyslexia evaluation. A school district shall consider the diagnosis from the independent evaluation and allow provide the student to receive direct intervention with interventions determined to be appropriate by the school district from a dyslexia therapist interventionist at the school district.

3/15, Arizona: Defines dyslexia. Allows teachers and administrators to count training regarding screening, intervention, accommodation, use of technology and advocacy for students with reading impairments, including dyslexia, as continuing education credits.

3/15, Mississippi: The State Department of Education is authorized and directed to provide financial assistance for the recruitment, placement and employment of qualified licensed dyslexia therapy professionals identified in order to provide dyslexia screening, evaluation and therapy services to the students attending school in the school district. The funding may be used to purchase curriculum materials and supplies for dyslexia therapy services and shall be provided to public school districts upon

application regardless of the financial need of the school district in an amount not to \$50,000.00. In order to qualify for such funds, the school district shall meet the following criteria: use a licensed dyslexia therapists or individuals participating in an approved training program resulting in State Department of Education licensure to provide dyslexia therapy to students diagnosed with dyslexia; use daily Orton-Gillingham-based therapy; have school leadership trained in dyslexia; and have a current School Program Verification and Assurances form on file with the State Department of Education, Office of Curriculum and Instruction.

7/14, DE: A child with a disability who is not beginning to read by age 7, must have an IEP prepared until the student is reading that shall enumerate the specific evidence-based interventions that will address their inability to read. The district must also provide evidence-based interventions through extended year services during the summer absent a specific explanation in the IEP regarding why such services are inappropriate.

7/14, IL: Requires the State Board to adopt the international definition of dyslexia. Requires the State Board to establish an advisory group to develop a training module to provide education and professional development to teachers, school administrators, and other education professionals regarding multi-sensory, systematic, and sequential instruction in reading.

6/14 PA: Establishes a Dyslexia and Early Literacy Intervention Pilot Program within the Department of Education. The overall purpose of the program is to provide evidence-based early screening and intervention services for children with risk factors for early reading deficiencies and dyslexia.

6/14, WV: Explains the importance of recognizing the characteristics of specific learning disabilities, including dyslexia and dyscalculia, and embracing widely adopted and consistent standards to prepare teachers of reading and related literacy skills for specialized instruction and competent intervention.. It also directs the State Board of Education to ensure that students receive necessary and appropriate screenings and early assessments; that individualized education programs for students with specific learning disabilities are consistent with the provisions of the bill; and that parents are provided ongoing information and education about specific learning disabilities and services available to them.

5/14, TN: Defines Dyslexia. Requires that schools provide in-service training to teachers that formally address dyslexia and instructs them in using appropriate scientific research and brain-based multisensory intervention methods and strategies when working with dyslexic students. Requires institutions of higher education to issue a report to the state on how they are instructing prospective teachers in the area of dyslexia.

4/14: Iowa: Defines Dyslexia. Directs the Iowa Department of Education and the Iowa Reading Research Center to provide training on dyslexia to Iowa's teachers.

IEP Processes

Texas, 6/15: The regular education teacher at an IEP team meeting must provide input into the IEP process. A written document must be created to document the decisions made by the IEP team. Each

member of IEP team who disagrees with the individualized education program developed by the committee is entitled to include a statement of disagreement in the written statement of the program.

Delaware, 6/15: Schools must develop and facilitate a council for parents of students with disabilities. Parent councils will advocate for students with disabilities and provide person-to-person support for individual parents and children. It permits minutes to be taken, by disclosed recording advice or stenographer, of any meeting, review, or conference concerning a child with a disability's right to FAPE, at the option of the parent and their authorized representative. The costs of the recording are born by the person or agency requesting minutes. Progress made toward postsecondary goals in transition IEPs will be reported with the same frequency as academic goals. The Department of Education in coordination with the Department of Justice, will annually survey parents and children with IEPs to ask about their satisfaction with the IEP process. This survey shall be used to conduct follow-up examinations with school districts regarding their good-faith compliance with federal and state laws and regulations.

Under the procedural safeguards notice, parents must have written descriptions of each evaluation, procedure, test, etc. used as basis for special education eligibility as well as a written statement of protections for parents under state and federal regulations. The district must also provide specific contact information for existing parent assistance programs, legal assistance programs, and the Delaware State Bar Association. The district must also provide a separate questionnaire requesting the input of a child's parent and, where appropriate, a child, with respect to the child's progress to date and additional proposed steps that should be taken to adjust the child's goals, curriculum, services, aids, modifications, or other elements of the child's individualized education program. The questionnaire may be sent prior to the written notice of an individualized education program meeting or its equivalent and, if it is, does not need to be included in the notice under this section. A district must also provide a copy of the draft individualized education program accompanied by a letter clearly indicating to the parent and child that the document is a draft for discussion and subject to revision at the noticed meeting, if a draft individualized education program will be presented to a child or parent, or otherwise utilized at the individualized education program meeting for which notice is provided. If such a draft individualized education program is prepared subsequent to the notice required by this section but prior to the noticed meeting, it shall be provided to the parent and child prior to the noticed meeting, along with the explanatory letter required by this paragraph. Any draft document provided to a child or parent pursuant to this paragraph shall be clearly labeled on each page as a draft document for discussion purposes only. The Department in collaboration with the Governor's Advisory Council on Exceptional Citizens shall create a draft letter and associated guidance to assist the school districts with the content and application of the above letter. A district must also provide notice that a parent or child may request prior to an individualized education program meeting any data in the district's possession relevant to the child's needs or disability and the presence of any teacher, paraprofessional, and any additional staff members of their choosing at an individualized education program meeting.

MD, 5/14: Requires the parents of a child attending their initial IEP evaluation meeting to be provided a specified verbal and written explanation of their rights and responsibilities and a program procedural safeguards notice notifying them that they may request this information at any meeting thereafter. This

information must be given in plain language and the State Department can issue regulations to specify how this information is relayed.

WV, 3/14: If a student with exceptional needs is enrolled in a teacher's class, and if the teacher did not participate in the meeting to develop the student's individualized education program, he or she must acknowledge reading and understanding the student's IEP by signing a copy. The teacher must also help the student succeed in class by making any needed or identified accommodations and modifications. The legislation emphasizes that its requirements apply to all teachers, including, but not limited to, teachers of music, musical education, and driver education

Diploma

IN, 4/15: Provides that an annual IEP meeting beginning in 8th grade, there must be a discussion of type of diploma student with disability is pursuing and courses that allow the student to progress toward the diploma in a timely manner. Beginning in ninth grade, the student's teacher of record shall communicate at least one time each grading period with the student's parent concerning the student's progress toward the selected diploma. If the parent requests a meeting with the teacher of record to discuss the student's progress, the teacher must meet with the parent in a timely manner. A meeting under this subsection does not constitute a case conference committee meeting, and a request for a meeting under this subsection does not abrogate a parent's right to call for a meeting of the case conference committee at any time.

Georgia, 1/15: Eliminates the state high school graduation test as a requirement for graduation. The state board is authorized and directed to adopt regulations providing that any disabled child, is afforded opportunities to take any test with any appropriate accommodations adopted by the state board as a condition for the awarding of a high school diploma. A special education diploma can be awarded to any disabled student who is lawfully assigned to a special education program and who does not achieve a passing score on said such test or who has not completed all of the requirements for a high school diploma but who has nevertheless completed his or her Individualized Education Program.

A person who is no longer enrolled in a Georgia public school and who previously failed to receive a high school diploma in this state or was denied graduation solely for failing to achieve a passing score on one or more portions of the Georgia High School Graduation Test or its predecessor may petition the local board of education in which he or she was last enrolled to determine the student's eligibility to receive a high school diploma.

Louisiana 6/14: A student with a disability who completes the requirements of his IEP shall be issued a high school diploma. The diploma issued to a student based on achieving his IEP goals and objectives shall count equally and be assigned the same number of points in the school performance score calculation for high schools as are assigned for a diploma issued to any other student. If a student's IEP team determines that the student is not required to meet state or local performance standards on any assessment for purposes of graduation, the student shall successfully complete IEP goals and requirements and shall meet at least one of the following: be employed in integrated, inclusive work environments; demonstrate mastery of specific employability skills and self-help skills; or have access to

services that are not within the legal responsibility of public education or employment or education options for which the student has been prepared by the academic program.

West Virginia, 4/14: Allows special education students receiving a modified diploma to participate in the graduation ceremonies. The student may also continue to receive special education services after the graduation ceremony as well as participate in a post-graduation ceremony.

Education of Deaf and/or Blind Students

Louisiana, 6/15: Amends Deaf Child's Bill of Rights to require public schools to provide deaf and/or blind students with individualized and appropriate screening and intervention services. Schools must inform parents/guardians of all State Board of Education policies related to deaf and/or blind students relative to placement considerations and options for parents to fully participate in development of child's educational plan.

Public schools shall strive to provide deaf and/or blind students with adult role models to learn advocacy skills. Public schools shall provide children who are deaf and/or blind opportunities to meet and associate with their peers in the school environment and during school sponsored activities. Schools shall provide children who are deaf-blind access to qualified teachers, interpreters, and resource personnel who communicate effectively with each child in that child's mode of communication. Public schools shall include a communication plan in the Individualized Education Program of every student with an exceptionality who is deaf, hard of hearing, or deaf and blind. Where appropriate, public schools shall include a communication plan in the Individual Accommodation Plan. Public schools shall provide children who are deaf and/or blind a placement that is best suited to each child's individual needs, including but not limited to social, emotional, and cultural needs, with consideration for the child's age, degree and type of hearing loss, academic level, mode of communication, style of learning, motivational level, and amount of family support. Public schools shall provide children considerations for free, appropriate education across a full spectrum of educational programs as well as support services.

5/15 Maryland: Requires that orientation and mobility instruction be included in the IEP of a child who is blind or visually impaired unless the IEP team determines that instruction is not appropriate. If any IEP member objects to orientation and nobility instruction, then a mobility and orientation assessment must be conducted. Within 30 days of mobility and orientation assessment, IEP team must meet to consider assessment results. The provision of a mobility and orientation instruction is binding for the entire school year that the determination is made. Schools must provide notice to parent of mobility and orientation assessment each year.

3/15, Virginia: Requires each local school boards to annually post on the district's website information describing the educational and other services available to students who are identified as hearing impaired or visually impaired through the Virginia School for the Deaf and the Blind, the Virginia Department for the Blind and Vision Impaired.

Physical Education

5/15, Texas: Modifications for physical education should be provided for all students with disabilities

6/.14, NJ: Directs school districts to ensure that students with disabilities have equal opportunities to participate in physical education programs, participate in classroom activities that involve physical activity, and try out for and participate in athletic programs to the maximum extent practicable

Transportation and LRE

6/15 LA: Requires LEA to provide students with disabilities transportation services consistent with LRE provisions.

6/15 NH: Allows pupils receiving special education services to be transported in mixed use school bus unless prohibited by IEP or accommodation plan.