

PETRARCA, GLEASON,
BOYLE & IZZO, LLC
ATTORNEYS AT LAW

New Guidance on Braille Instruction

In response to concerns voiced by parents and advocates about a significant decrease in Braille instruction, the U.S. Department of Education's Office of Special Education Programs (OSEP) has issued guidance to reaffirm the importance of Braille and Braille instruction for blind and visually impaired students.

OSEP reiterates in this *Dear Colleague Letter* that Braille instruction is a requirement under the Individuals with Disabilities Education Act (*IDEA*) and that a student's need for Braille instruction should be considered on a case-by-case basis and without undue delay. OSEP explains that the *IDEA* mandates that Braille instruction be provided to a student with blindness or visual impairment unless the individualized education plan (IEP) team determines that Braille is not appropriate for that particular student. The IEP team's determination must be based on an evaluation, which should be thorough and rigorous and include various modalities, a data-based media assessment, and a functional visual assessment. OSEP emphasizes that the

evaluation must assess the student's current and **future** needs.

OSEP explains that when Braille instruction is required to receive a free and appropriate public education (FAPE), the IEP team must ensure that systematic, regular instruction is provided by appropriately trained personnel, and that sufficient instructional time is allotted for the student to become proficient in Braille. Further, an IEP team may not deny Braille instruction to a student due to shortages of trained personnel, availability of alternative reading media, or the amount of time needed to provide Braille instruction. Several OSEP-funded programs and other resources available to school personnel for providing appropriate interventions, services, instruction, and materials to students with blindness and visual impairments are referenced in this *Dear Colleague Letter* as well.