

D R A F T

SUMMARY

Establishes advisory committee for purpose of assisting Department of Education in distributing moneys in Blind and Visually Impaired Student Fund.

Authorizes department to distribute moneys in fund for purpose of providing vision screening in public schools.

A BILL FOR AN ACT

1
2 Relating to the Blind and Visually Impaired Student Fund; creating new
3 provisions; and amending ORS 346.315 and section 9, chapter 562, Oregon
4 Laws 2009.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1. (1) An advisory committee is established for the pur-**
7 **pose of assisting the Department of Education in distributing the**
8 **funds in the Blind and Visually Impaired Student Fund under ORS**
9 **346.315.**

10 **(2) The committee shall consist of eight members appointed by the**
11 **Governor, and shall include:**

12 **(a) One member who attended the Oregon School for the Blind.**

13 **(b) One member who is a teacher of blind or visually impaired stu-**
14 **dents.**

15 **(c) Two members, each of whom is a parent of a child who is blind**
16 **or visually impaired.**

17 **(d) Two members who are blind or visually impaired.**

18 **(e) One member who represents the business community.**

19 **(f) One member who has experience in developing technology that**

1 **enhances independence for individuals who are blind or visually im-**
2 **paired.**

3 **SECTION 2.** Section 9, chapter 562, Oregon Laws 2009, is amended to
4 read:

5 **Sec. 9.** The amendments to section 7 [*of this 2009 Act*], **chapter 562,**
6 **Oregon Laws 2009,** by section 8 [*of this 2009 Act*], **chapter 562, Oregon**
7 **Laws 2009,** become operative [*June 30, 2020*] **on the effective date of this**
8 **2013 Act.**

9 **SECTION 3.** ORS 346.315, as amended by section 8, chapter 562, Oregon
10 Laws 2009, is amended to read:

11 346.315. (1) The Blind and Visually Impaired Student Fund is established
12 in the State Treasury, separate and distinct from the General Fund. Interest
13 earned by the Blind and Visually Impaired Student Fund shall be credited
14 to the Blind and Visually Impaired Student Fund.

15 (2) Moneys in the Blind and Visually Impaired Student Fund are contin-
16 uously appropriated to the Department of Education for the purposes of:

17 (a) Assisting students who are blind or visually impaired in receiving
18 appropriate resources and services, including educational services, in the
19 communities where the students reside **or in other settings identified in**
20 **individualized education programs for students described in section 3**
21 **(1), chapter 562, Oregon Laws 2009;**

22 [*(b) Supplementing funds available to regional programs authorized under*
23 *ORS 343.236 (1)(a)(A) and (C) to ensure access to the expanded core curric-*
24 *ulum for students who are blind or visually impaired;*]

25 [*(c)*] **(b)** Coordinating professional development of persons who provide
26 educational services to students who are blind or visually impaired;

27 [*(d)*] **(c)** Providing technical assistance for the purpose of providing edu-
28 cational services to students who are blind or visually impaired; [*and*]

29 [*(e)*] **(d)** Coordinating activities for the benefit of students who are blind
30 or visually impaired[.]; **and**

31 **(e) Providing vision screening in the public schools of this state.**

1 (3) When determining the manner in which to spend the moneys in the
2 Blind and Visually Impaired Student Fund, the Department of Education
3 shall **consult with the advisory committee established in section 1 of**
4 **this 2013 Act and:**

5 (a) **Give priority to services or resources used by students described**
6 **in section 3 (1), chapter 562, Oregon Laws 2009; and**

7 (b) Ensure that the moneys are used in addition to any other available
8 moneys and do not supplant moneys available from any other source.

9 (4) **Notwithstanding subsection (3)(b) of this section, a school dis-**
10 **trict is not required to seek moneys from the High Cost Disabilities**
11 **Account established in ORS 327.348 prior to seeking moneys from the**
12 **Blind and Visually Impaired Student Fund for costs associated with**
13 **providing services to a student if:**

14 (a) **The student is a student described in section 3 (1), chapter 562,**
15 **Oregon Laws 2009;**

16 (b) **The purpose of the moneys is to provide appropriate resources**
17 **and services, including educational services, in a setting identified in**
18 **the individualized education program for the student; and**

19 (c) **The total cost of the resources and services includes both med-**
20 **ical and educational costs and exceeds \$200,000 per fiscal year.**

21 **SECTION 4.** ORS 346.315, as amended by section 8, chapter 562, Oregon
22 Laws 2009, and section 3 of this 2013 Act, is amended to read:

23 346.315. (1) The Blind and Visually Impaired Student Fund is established
24 in the State Treasury, separate and distinct from the General Fund. Interest
25 earned by the Blind and Visually Impaired Student Fund shall be credited
26 to the Blind and Visually Impaired Student Fund.

27 (2) Moneys in the Blind and Visually Impaired Student Fund are contin-
28 uously appropriated to the Department of Education for the purposes of:

29 (a) Assisting students who are blind or visually impaired in receiving
30 appropriate resources and services, including educational services, in the
31 communities where the students reside [*or in other settings identified in in-*

1 *dividualized education programs for students described in section 3 (1), chap-*
2 *ter 562, Oregon Laws 2009];*

3 (b) Coordinating professional development of persons who provide educa-
4 tional services to students who are blind or visually impaired;

5 (c) Providing technical assistance for the purpose of providing educa-
6 tional services to students who are blind or visually impaired;

7 (d) Coordinating activities for the benefit of students who are blind or
8 visually impaired; and

9 (e) Providing vision screening in the public schools of this state.

10 (3) When determining the manner in which to spend the moneys in the
11 Blind and Visually Impaired Student Fund, the Department of Education
12 shall consult with the advisory committee established in section 1 of this
13 2013 Act and[.]

14 [(a) Give priority to services or resources used by students described in
15 section 3 (1), chapter 562, Oregon Laws 2009; and]

16 [(b)] ensure that the moneys are used in addition to any other available
17 moneys and do not supplant moneys available from any other source.

18 [(4) Notwithstanding subsection (3)(b) of this section, a school district is
19 not required to seek moneys from the High Cost Disabilities Account estab-
20 lished in ORS 327.348 prior to seeking moneys from the Blind and Visually
21 Impaired Student Fund for costs associated with providing services to a stu-
22 dent if:]

23 [(a) The student is a student described in section 3 (1), chapter 562, Oregon
24 Laws 2009;]

25 [(b) The purpose of the moneys is to provide appropriate resources and
26 services, including educational services, in a setting identified in the individ-
27 ualized education program for the student; and]

28 [(c) The total cost of the resources and services includes both medical and
29 educational costs and exceeds \$200,000 per fiscal year.]

30 **SECTION 5. The amendments to ORS 346.315 by section 4 of this**
31 **2013 Act become operative June 30, 2020.**

