

SHORT TITLE: Schools and state government; creating the Center for Accessible Instructional Materials. Effective date. Emergency.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1366

By: Morgan

AS INTRODUCED

An Act relating to schools and state government;
creating the Center for Accessible Instructional
Materials; stating purposes; providing for duties;
establishing the Technical Advisory Committee on
Braille Production; providing for duties of the
committee; providing for composition, duties, terms
and travel reimbursement of members; amending 70
O.S. 1991, Section 16-106, as last amended by
Section 1, Chapter 97, O.S.L. 1997 (70 O.S. Supp.
1997, Section 16-106), which relates to publishers'
contracts; modifying requirements for certain
publishers; providing for codification; providing
an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 167.1 of Title 74, unless there
is created a duplication in numbering, reads as follows:

A. There is hereby created the Center for Accessible
Instructional Materials within the State Department of
Rehabilitation Services.

B. The purposes of the Center shall be to:

1. Provide Braille and adaptive educational resources which are required by children who are blind or visually impaired to achieve literacy, independence and employment;

2. Promote economic self-sufficiency and reduce dependence on public assistance by providing essential tools for the development of literacy by children and youth with visual disabilities;

3. Assist public and private schools in Oklahoma in their efforts to comply with federal law requiring equal educational opportunity for students with visual disabilities;

4. Maximize instructional time available to teachers by providing them with a central resource and a streamlined process for obtaining Braille and other accessible materials for students with blindness or visual impairment;

5. Conserve state and local education resources through circulation and reuse of Braille instructional materials, and by assuring proper storage and maintenance conditions which extend the life of Braille materials;

6. Increase the availability of Braille textbooks by providing technical guidelines for use by textbook publishers in preparing computer diskettes for use in translation of textbooks to Braille; and

7. Support and enhance professional development for education of the visually impaired by providing training, technical assistance and services related to the production of Braille and other accessible instructional materials.

C. The Center shall:

1. Coordinate the acquisition, production and circulation of Braille instructional materials that are appropriate for reuse;

2. Provide central storage and maintenance of Braille instructional materials and other selected accessible materials and education aids for students who are blind or visually impaired;

3. Conduct nationwide, state and local searches to determine the availability and cost of existing Braille materials;

4. Develop operational policies and procedures, including policies to ensure that, to the maximum extent practicable, students who are blind or visually impaired have timely access to quality Braille instructional materials;

5. Provide technical assistance and staff training to schools for selection, procurement and operation of onsite Braille production equipment;

6. Develop a lending or rental option to enable schools to obtain onsite Braille production equipment;

7. Prepare and periodically revise technical guidelines for the formatting and transmission of textbooks on computer diskette for use in translation of textbooks into Braille;

8. Conduct the American Printing House for the Blind annual registry of Oklahoma children who are legally blind and manage Quota Registry resources, provided this shall not include registration of students attending the Oklahoma School for the Blind and management of applicable Quota Registry resources; and

9. Perform such other duties as the Director of the Oklahoma Department of Rehabilitation Services may prescribe to further the purposes of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 167.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. 1. There is hereby established the Technical Advisory Committee on Braille Production which shall advise the Director of the Center for Accessible Instructional Materials regarding the development of guidelines for the formatting and transmission of textbooks on computer diskette for use in translation of textbooks into Braille.

B. The Committee shall be composed of five members, appointed by the Director of the Center for Accessible Instructional Materials, who shall have expertise in one or more of the following areas:

1. Braille production technology;
 2. Braille reading and writing;
 3. Computer technology for information access for persons who are blind;
 4. Education of children who are blind or visually impaired;
- and
5. Textbook publishing.

C. Members of the Committee shall serve two-year terms and may be reappointed to serve successive terms.

D. The Center for Accessible Instructional Materials shall provide staff support for the work of the Advisory Committee and shall reimburse allowable expenses of members in accordance with the State Travel Reimbursement Act.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 16-106, as last amended by Section 1, Chapter 97, O.S.L. 1997 (70 O.S. Supp. 1997, Section 16-106), is amended to read as follows:

Section 16-106. A. All contracts with publishers shall be signed by the chairperson and secretary of the State Textbook Committee on behalf of the state. Each contract shall stipulate the price at which each textbook will be sold to the State of Oklahoma, and that all copies supplied to the State of Oklahoma will be equal to or better than the official copy filed with the secretary of the Committee. The State Textbook Committee may approve the substitution of a later edition in lieu of the textbook originally selected. The publisher shall stipulate in the contract that:

1. The price for which the textbook is to be furnished will be the lowest at which the same textbook will be sold or offered for sale for the purpose of securing a state or local selection or

adoption elsewhere in the United States during the six (6) months prior to the date of the execution of the contract;

2. It will reduce the contract price of the textbook, if the price of the same textbook is reduced below such contract price elsewhere in the United States, and that it will file with the secretary of the Committee a sworn statement of such reduction made elsewhere;

3. If it prepares any supplementary or abridged or special editions of any of the textbooks, and shall sell such editions elsewhere at a lower price than that stipulated in the contract, it will file copies of any and all such editions, together with the prices thereof, with the secretary of the Committee;

4. It has not entered into any understanding, agreement or combination to control the prices or restrict competition in the sale of textbooks;

5. It will furnish the textbooks to the State of Oklahoma during the term of the contract in such amounts as may be required; and

6. It will furnish for a like period in lieu of the corresponding textbooks under contract any other books listed in any annual statement subsequently filed by it during the term of the contract to any school district at the lowest new prices contained in such statement, and that it will maintain ~~said~~ such prices uniformly through the state.

B. Textbooks selected by the State Textbook Committee may be purchased by school districts at the prices for which contracts have been awarded, pending the effective dates of the contracts.

C. The chairperson and secretary of the State Textbook Committee, on the advice and consent of the attorney for the State Department of Education, may, with the consent of the holders of state textbook contracts, change any contract to conform with the provisions of Section 16-102 of this title.

D. As requested by a school district ~~or~~, the Oklahoma School for the Blind or the Center for Accessible Instructional Materials within the Oklahoma Department of Rehabilitation Services, all publishers who enter into contracts with the State Textbook Committee shall be required to furnish ~~Committee~~ the requesting entity with computer diskettes for literary subjects ~~in the American Standard Code for Information Interchange (ASCII)~~ from which Braille versions of the textbook can be produced. ~~The publisher~~ Publishers shall furnish ~~the Committee with computer~~ such diskettes in ASCII accordance with guidelines prescribed by the Center for Accessible Instructional Materials. Publishers shall furnish requesting entities with computer diskettes for nonliterary subjects when Braille specialty code translation software is available.

SECTION 4. This act shall become effective July 1, 1998.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-2098

CJ