

STATE BOARD OF EDUCATION

STATE OF GEORGIA

IN RE: B. B.)	
)	CASE NO. 1983-37
and)	
)	DECISION OF STATE
DEKALB COUNTY BOARD OF EDUCATION)	HEARING OFFICER

This is an appeal by the parent of B. B. (hereinafter "Student") from the decision of a regional hearing officer that the DeKalb County School System (hereinafter "Local System") could provide the Student with a free, appropriate public education by implementing the individualized educational program prepared for the Student. The Student's parent appealed the decision on the grounds the Regional Hearing Officer's decision was contrary to the evidence presented and the Regional Hearing Officer erred by not placing certain restrictions on the Local System. For the reasons set forth below, the decision of the Regional Hearing Officer is sustained.

The Student is seriously visually impaired. She has attended regular classes in the Local System and has demonstrated an ability to obtain higher than average grades. During the 1983-1984 school year, the Student will be in the eleventh grade. The individualized educational program ("IEP") prepared for the Student provides that she will continue to attend regular classes and receive the assistance of an itinerant visual resources teacher. In addition, the Student is to have available additional resources, such as a tape recorder, large print books,

and a magnifying closed circuit television machine. The Student's parent agreed with the IEP long-term goals, but disagreed with providing materials to the Student in other than large-print media.

A hearing before the Regional Hearing Officer extended over several days, and was completed on September 12, 1983. During the hearing, the Student's parent contended that all materials presented to the Student should be only in large print, that the Student should have a permanent pass to the closed-circuit television room used for enlarging her materials, that the Student should be given additional time to complete her assignments and tests, and that a definite time should be established for starting eccentric vision training. Eccentric vision training consists of teaching the Student how to read materials by looking around the central focus point because her central vision is impaired.

The Regional Hearing Officer found that it takes the Student approximately four times longer than a non-handicapped sighted person to read material. The Local System has provided the Student with large print materials when they were available, and has obtained taped materials when they were not available. The Regional Hearing Officer also found that the Local System was taking the proper approach in attempting to teach the Student to use different media for obtaining information since she will have to cope in college and later with situations where large

print material will not be available. In addition, the Regional Hearing Officer found that the Student's texts for the coming year would be in large print, and that teachers could not practically be expected always to provide the Student with pre-printed tests and other materials.

The Regional Hearing Officer decided that the Student's IEP was an appropriate educational plan reasonably calculated to provide the Student with educational benefits based upon the Student's needs. The decision of the Regional Hearing Officer was issued on October 14, 1983, and the appeal by the Student's parent was made on November 10, 1983.

The Student's parent continues to maintain on appeal that the Student should receive instruction through the use of large print materials and that the Regional Hearing Officer erred in not requiring the use of large print material. The record, however, supports the decision of the Regional Hearing Officer. The Local System will provide the Student with large print textbooks in each of her classes; regular tests are normally typed with a large print typewriter and have been given to the Student on a timely basis, and the Student has been given additional time to complete her assignments. It also appears that the Student needs to learn to use other media, even though she is resistant to such use. A variable speed tape recorder with cueing ability was made available to the Student, but she did not use it; the Student's parent has refused to permit tests to be read to the Student, and the Student claimed that the

closed circuit television was difficult to use. The Local System is placing primary emphasis on the use of large print materials, but it is also offering the Student alternatives which will be necessary for the Student if she desires to function outside the special education environment. The Student will also be given eccentric vision training, and an itinerant vision teacher will provide four hours per week of instruction. The proposal by the Local System integrates learning approaches which will permit the Student to function more independently when she leaves high school. The State Hearing Officer, therefore, concludes that the record supports the decision of the Regional Hearing Officer, and that the Local System can provide the Student with a free, appropriate public education. The decision of the Regional Hearing Officer, therefore, is

SUSTAINED.

This 12th day of December, 1983.



L. O. BUCKLAND
State Hearing Officer