



OFFICE OF SPECIAL EDUCATION  
ASSISTANT COMMISSIONER

January 2024

**TO:** BOCES District Superintendents  
Superintendents of Schools  
Superintendents of State-Operated Schools  
Superintendents of State-Supported Schools  
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Charter School Administrators  
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Directors of Pupil Personnel Services  
Chairpersons of Committees on Special Education  
Chairpersons of Committees on Preschool Special Education  
Head Start Directors  
Family and Community Engagement Centers  
Independent Living Centers  
New York State Commission for the Blind  
Organizations, Parents, and Individuals Interested in Special Education  
and/or the Education of the Visually Impaired

**FROM:** Christopher Suriano

**SUBJECT: Annual Registration of All New Individuals Classified as Legally Blind for Procurement of Adapted Educational Materials Produced by the American Printing House for the Blind**

The Federal Act to Promote the Education of the Blind was enacted by Congress in 1879. This Act is a means for providing adapted educational materials to eligible individuals. Annual registration of eligible individuals determines a per capita amount of money designated, maintained and administered by APH and its Ex Officio Trustees throughout th

e country.  
New York State Resource Center for  
the Visually Impaired (NYSRCVI) in Batavia, New York.

The annual registration form is for individuals who are legally blind and newly enrolled

## Eligibility Requirement for Students

For students to be counted in the census as eligible for registration in the Federal Quota Program, they **MUST** meet the following requirements as outlined in the Act to Promote the Education of the Blind:

- **Meet the Definition of Blindness (MDB)** - central visual acuity of 20/200 or less (using a Snellen chart or an acuity determined in Snellen equivalents) in the better eye with best correction or a peripheral field of vision no greater than 20 degrees.
- or
- **Function at the Definition of Blindness (FDB)** – when visual function meets the definition of blindness as determined by an eye care specialist (ophthalmologist or optometrist) or a medical doctor such as a neurologist. Students in this category manifest unique visual characteristics often found in conditions referred to as neurological, cortical, or cerebral blindness or low vision (e.g., brain injury or dysfunction).
- **Individuals with Disabilities Education Act (IDEA)** - If neither MDB nor FDB are met, students may also be eligible for this federal program because they qualify under the IDEA definition of blindness: an impairment in vision, that, even with correction, adversely affects performance [34 CFR §300.8(c)(13)].

Requirements for eligibility also include the following:

- School-aged and preschool students, toddlers and infants must be enrolled with the registering school/agency on the first Monday in January.
- Students must be enrolled in a formally organized public or private, nonprofit educational program of less than college level. Educational programs include public schools, private schools, parochial schools, homebound, and homeschool.
- Students eligible under the IDEA must have an individualized education program (IEP), individualized family service plan (IFSP), and/or any other written education plan.
- Students who are still in high school and are aged 22 or over are required by the federal government to be registered or coded as adults.
- Adult students should be registered by an agency serving adults in a vocational or rehabilitation program. They must be registered for at least 120 hours throughout the preceding calendar year. Social and leisure programs do not qualify as instruction. Student practice to develop skills can be included in instructional hours.
- Parent permissions are required for students aged 18 and under and legal guardian permissions are required for students of any age.
- There is no chronological age limit for eligibility. Federal law limits registration to persons working at less than college level but places no restriction on the ages of eligible students.

## Directions for Completing the Registration Form

The attached 2023-2024 Registration Form for Individuals Classified as Legally Blind must be completed and received no later than March 1, 2024. The per capita amount of money designated for the purchase of educational materials produced by APH is contingent on appropriate registration of eligible individuals. It is important that the following information be completed on the registration form:

- Level of Visual Functionality Codes (i.e., MDB or FDB)
- Grade codes as described below:
  - **IP** Infants: Children birth to 3 years of age served by infant programs.
  - **PS** Preschool: Children of preschool age served by preschool programs.
  - **KG** Kindergarten: Children enrolled in kindergarten classes.
  - **01-12** School Age: Determined by State law, in regular academic grades 1 through 12. Please indicate grade placement by using numerals 01 through 12.
  - **12+** - Students who are in grade 12 or are continuing to receive special education services under the IDEA until student turns age 22.
  - **AD** All individuals

Maintenance of Records: The following documents must be kept on file by the school/agency in the event an audit is conducted, and evidence of the individual's educational program or visual acuity is required:

- A written education plan for each individual registered that verifies the individual is in a formally organized educational program. This verification may be an IEP, a Section 504 Accommodation Plan or any other written plan.

New York State Education Law section 2-d: Registration forms cannot be sent via email due to data security. Completed registration forms must be faxed or mailed to the following:

- Individuals in New York City, forms must be mailed to: Educational Vision Services, Attn: Jeannine Hobbes, 400 First Avenue, 7<sup>th</sup> Floor, New York, New York 10010 or Faxed (718) 706-4554. You can reach Jeannine at [JHobbes@schools.nyc.gov](mailto:JHobbes@schools.nyc.gov) or (917) 256-4259 with questions.
- Individuals enrolled at the New York State School for the Blind, Lavelle School for the Blind, Helen Keller National Center for Deaf Blind Youths and Adults, and the New York Institute for Special Education are registered 0 0 1 134.3 231.41 Tm0 G[( )] TJETQq0.0

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