

119TH CONGRESS
2D SESSION

H. R. 9196

To promote and ensure delivery of high-quality special education and related services to children and youth who are deafblind, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2026

Mr. MCGARVEY (for himself, Mr. GARBARINO, and Mr. RILEY of New York) introduced the following bill; which was referred to the Committee on Education and Workforce

A BILL

To promote and ensure delivery of high-quality special education and related services to children and youth who are deafblind, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES; DEFINITION;**

4 **TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Helen Keller Education Act”.

7 (b) REFERENCES.—Except as otherwise expressly
8 provided, whenever in this Act an amendment or repeal
9 is expressed in terms of an amendment to, or repeal of,

1 a section or other provision, the reference shall be consid-
 2 ered to be made to a section or other provision of the Indi-
 3 viduals with Disabilities Education Act (20 U.S.C. 1400
 4 et seq.).

5 (c) DEFINITION.—For purposes of this Act, the term
 6 “deafblind”, when applied to an individual, means the in-
 7 dividual has concomitant hearing and visual impairments,
 8 the combination of which—

- 9 (1) prevents access to information;
- 10 (2) causes severe communication challenges;
- 11 (3) interferes with social and emotional well-
 12 being; and
- 13 (4) impacts other developmental areas in a
 14 manner that adversely affect a child’s educational
 15 performance (including children who are deafblind
 16 with additional disabilities).

17 (d) TABLE OF CONTENTS.—The table of contents for
 18 this Act is as follows:

Sec. 1. Short title; references; definition; table of contents.

TITLE I—GENERAL PROVISIONS

Sec. 101. Identifying children and youth who are deafblind.

Sec. 102. Related services.

Sec. 103. State plans.

Sec. 104. Evaluations.

Sec. 105. Consideration of special factors.

Sec. 106. Technical assistance for parents and educators of children and youth
 who are deafblind.

Sec. 107. Conforming regulations.

TITLE II—IMPROVING THE EFFECTIVENESS OF EARLY INTERVENTION FOR INFANTS AND TODDLERS WHO ARE DEAFBLIND AND THEIR FAMILIES

Sec. 201. Content of plan.

TITLE III—NATIONAL ACTIVITIES TO IMPROVE THE EDUCATION OF CHILDREN WITH DISABILITIES

Sec. 301. Personnel development to improve services and results for children with disabilities; ensuring sufficient teachers of children who are deafblind, interveners, and early intervention specialists.

1 TITLE I—GENERAL PROVISIONS

2 SEC. 101. IDENTIFYING CHILDREN AND YOUTH WHO ARE
3 DEAFBLIND.

4 (a) SERVING ALL CHILDREN WHO ARE DEAFBLIND
 5 REGARDLESS OF CLASSIFICATION.—Section 612(a)(3)
 6 (20 U.S.C. 1412(a)(3)) is amended by adding at the end
 7 the following:

8 “(C) SERVING CHILDREN WHO ARE
 9 DEAFBLIND.—When a State classifies children
 10 by disability, the State, in complying with sub-
 11 section (a)—

12 “(i) identifies, locates and evaluates
 13 children with concomitant vision and hear-
 14 ing losses who are, or may be, classified in
 15 a disability category other than
 16 deafblindness; and

17 “(ii) provides (without prejudice to
 18 such classification) special education and
 19 related services to such children, including

1 the specific services determined appro-
 2 priate based on proper evaluation as would
 3 be provided to children classified in the
 4 State as having deafblindness.”.

5 (b) DATA COLLECTION AND REPORTING.—Section
 6 618 (20 U.S.C. 1418) is amended by adding at the end
 7 the following:

8 “(e) ACCOUNTING FOR CHILDREN WHO ARE
 9 DEAFBLIND.—In addition to the other data collection and
 10 reporting requirements of this section and subject to such
 11 provisions, the State and the Secretary of the Interior
 12 shall, with respect to children classified in a disability cat-
 13 egory other than deafblindness, include the number and
 14 percentage of such children in each disability category who
 15 are also deafblind.”.

16 (c) CHILD WITH A DISABILITY.—Section
 17 602(3)(A)(i) (20 U.S.C. 1401(3)(A)(i)) is amended by in-
 18 serting “deafblindness,” before “serious”.

19 **SEC. 102. RELATED SERVICES.**

20 Section 602(26)(A) (20 U.S.C. 1401(26)(A)) is
 21 amended by inserting “, and intervener services, which are
 22 provided to children who are deafblind by a qualified inter-
 23 vener” after “for diagnostic and evaluation purposes
 24 only”.

1 **SEC. 103. STATE PLANS.**

2 Section 612 (20 U.S.C. 1412) is amended by adding
3 at the end the following:

4 “(g) ADDENDUM CONCERNING CHILDREN WHO ARE
5 DEAFBLIND.—

6 “(1) IN GENERAL.—Notwithstanding the provi-
7 sions of subsection (c), a State shall not be deter-
8 mined to be in compliance with this section unless,
9 not later than 2 years after the date of the enact-
10 ment of the Helen Keller Education Act, the State
11 files with the Secretary a written addendum to the
12 plan required by this section describing how the
13 State ensures that—

14 “(A) children who are deafblind (regardless
15 of the State’s use of disability categories or the
16 extent to which children with deafblindness may
17 be classified in disability categories other than
18 deafblindness) are evaluated by qualified profes-
19 sionals, including teachers of the deafblind,
20 using valid and reliable assessments, for such
21 children’s need for instruction and services that
22 meet their unique language and communication,
23 literacy, academic, social and related learning
24 needs, including instruction which may be need-
25 ed by children without disabilities or with other
26 disabilities but which must be specifically de-

1 signed, modified, or delivered to meet the
2 unique language and communication, academic,
3 and related learning needs of children who are
4 deafblind;

5 “(B) there is sufficient availability of per-
6 sonnel, including teachers of the deafblind and
7 interveners, within the State qualified to pro-
8 vide the evaluation, instruction, and services de-
9 scribed in subparagraph (A) to all children
10 within the State requiring such instruction; and

11 “(C) all children who are deafblind within
12 the State who need special education and re-
13 lated services, whether or not such children
14 have other disabilities, receive such instruction
15 and are not being served solely in accordance
16 with section 504 of the Rehabilitation Act of
17 1973 (29 U.S.C. 794).

18 “(2) CONTENTS.—In preparing the addendum
19 described in paragraph (1), the State shall—

20 “(A) specifically address how the State
21 meets the needs of children who are deafblind
22 to support ongoing progress in language devel-
23 opment and in the child’s preferred mode of
24 communication, and including the provision of
25 school-related opportunities for direct commu-

1 nications with peers and professional personnel
 2 in the child’s preferred mode of communication
 3 and opportunities for direct instruction in (but
 4 not limited to) concept development, functional
 5 skills for academic success, self-determination
 6 and advocacy, social-emotional skills, visual and
 7 auditory sensory efficiency skills, orientation
 8 and mobility, assistive technology proficiency,
 9 independent living skills, age-appropriate career
 10 education, and support for the student through
 11 family education; and

12 “(B) consult with individuals and organiza-
 13 tions with expertise in the education of children
 14 who are deafblind, including parents, con-
 15 sumers, advocacy organizations, national and
 16 State organizations focused on deafblindness,
 17 and others the State may identify.”.

18 **SEC. 104. EVALUATIONS.**

19 Section 614(b) (20 U.S.C. 1414(b)) is amended by
 20 adding at the end the following:

21 “(7) CHILDREN WHO ARE DEAFBLIND.—

22 “(A) IN GENERAL.—In conducting the as-
 23 sessments prescribed in paragraph (3)(B), chil-
 24 dren who are deafblind (including children who
 25 may have additional disabilities) shall be evalu-

1 ated on language and communication pro-
 2 ficiency levels, including expressive, receptive,
 3 and pragmatic skills, and ability to access grade
 4 level content in the child’s preferred mode of
 5 communication, including non-symbolic and
 6 symbolic communication and tactile sign lan-
 7 guage. Qualified personnel trained in
 8 deafblindness, who communicate in the child’s
 9 preferred mode of communication, shall be ac-
 10 tively involved in assessments and evaluations.

11 “(B) CONTENT OF EVALUATIONS.—The
 12 evaluations described in subparagraph (A) shall,
 13 at a minimum, include evaluations assessing the
 14 need for services and supports to assist children
 15 who are deafblind in developing and maintain-
 16 ing language and communication skills in their
 17 preferred mode of communication, including
 18 non-symbolic and symbolic communication and
 19 tactile sign language.”.

20 **SEC. 105. CONSIDERATION OF SPECIAL FACTORS.**

21 Section 614(d)(3)(B) (20 U.S.C. 1414(d)(3)(B)) is
 22 amended—

- 23 (1) in clause (iv), by striking “and” at the end;
 24 (2) by redesignating clause (v) as clause (vi);
 25 and

1 (3) by inserting after clause (iv) the following:

2 “(v) in the case of a child who is
3 deafblind, provide for the child’s language
4 and communication needs, including tactile
5 sign language, tactile and visual adapta-
6 tions to sign and fingerspelling, and object
7 and tangible symbol systems. The require-
8 ments included in clauses (iii) and (iv)
9 shall also apply to children who are
10 deafblind; and”.

11 **SEC. 106. TECHNICAL ASSISTANCE FOR PARENTS AND EDU-**
12 **CATORS OF CHILDREN AND YOUTH WHO ARE**
13 **DEAFBLIND.**

14 Section 616 (20 U.S.C. 1416) is amended by adding
15 at the end the following:

16 “(j) DEVELOPING POLICY GUIDANCE FOR PARENTS
17 AND EDUCATORS OF CHILDREN WHO ARE DEAFBLIND.—
18 The Secretary shall ensure that not later than 1 year after
19 the date of the enactment of the Helen Keller Education
20 Act, policy guidance concerning the provision of special
21 education and related services to children who are
22 deafblind is developed (and periodically thereafter but not
23 less than once every 5 years, updated) with particular at-
24 tention to explanation of relevant amendments to this Act

1 or to its implementing regulations and is published in the
2 Federal Register.”.

3 **SEC. 107. CONFORMING REGULATIONS.**

4 Section 617 (20 U.S.C. 1417) is amended by adding
5 at the end the following:

6 “(f) Not later than 1 year after the date of the enact-
7 ment of the Helen Keller Education Act, the Secretary
8 shall, after notice and comment, publish regulations that
9 provide definitions for ‘deafblindness’ and ‘intervener serv-
10 ices’.”.

11 **TITLE II—IMPROVING THE EF-**
12 **FECTIVENESS OF EARLY**
13 **INTERVENTION FOR INFANTS**
14 **AND TODDLERS WHO ARE**
15 **DEAFBLIND AND THEIR FAMI-**
16 **LIES**

17 **SEC. 201. CONTENT OF PLAN.**

18 Section 636(d) (20 U.S.C. 1436(d)) is amended—

19 (1) in paragraph (7), by striking “and” at the
20 end;

21 (2) in paragraph (8), by striking the period at
22 the end and inserting “; and”; and

23 (3) by adding at the end the following:

24 “(9) in the case of an infant or toddler who is
25 deafblind, a statement of the ongoing language and

1 communication assessment that will be provided to
2 the child, language and communication development
3 goals commensurate with the child's cognitive abili-
4 ties, the language and communication access that
5 will be provided, including ongoing opportunities for
6 direct language learning and communication access
7 to peers, early intervention service providers, and
8 other professional personnel trained in the child's
9 preferred mode of communication, and the support
10 and instruction that will be provided to families to
11 learn and support the child's language and commu-
12 nication mode and the child's full range of needs.''.
13

14 **TITLE III—NATIONAL ACTIVITIES TO IMPROVE THE EDU-**
15 **CATION OF CHILDREN WITH**
16 **DISABILITIES**

17 **SEC. 301. PERSONNEL DEVELOPMENT TO IMPROVE SERV-**
18 **ICES AND RESULTS FOR CHILDREN WITH DIS-**
19 **ABILITIES; ENSURING SUFFICIENT TEACH-**
20 **ERS OF CHILDREN WHO ARE DEAFBLIND,**
21 **INTERVENERS, AND EARLY INTERVENTION**
22 **SPECIALISTS.**

23 Section 662(c)(2) (20 U.S.C. 1462(c)(2)) is amend-
24 ed—

1 (1) by redesignating subparagraphs (F) and
2 (G) as subparagraphs (H) and (I), respectively; and
3 (2) by inserting after subparagraph (E) the fol-
4 lowing:

5 “(F) Preparing personnel to be qualified
6 teachers of children who are deafblind and early
7 intervention specialists, to assist children who
8 are deafblind in schools and school-related ac-
9 tivities, as well as toddlers and preschool chil-
10 dren who are deafblind in early intervention
11 and preschool programs, to develop communica-
12 tion and literacy skills, to be able to access, or-
13 ganize and utilize information about the envi-
14 ronment, and to acquire concepts essential for
15 learning.

16 “(G) Preparing personnel to be qualified
17 interveners as individualized supports to assist
18 children who are deafblind in school and school-
19 related activities, and infants and toddlers and
20 preschool children who are deafblind in early
21 intervention and preschool programs.”.

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