

# Accessible Instructional Materials and IDEA

The 2004 reauthorization of the Individuals with Disabilities Education Act requires State and Local Education Agencies to ensure that instructional materials in accessible formats are provided to students with print disabilities in a timely manner. This document was created to support school districts in understanding those requirements.

## 1. What are instructional materials?

Textbooks and related core materials which are designed for use in the classroom in conjunction with the textbook.

## 2. Who is considered to be print disabled?

This is defined under the Act to Provide Books for the Adult Blind:

- Blind persons whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting glasses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees.
- Persons whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material.
- Persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations.
- Persons certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner.

## 3. When certifying eligibility, who is a competent authority?

- When certifying blindness, visual disability, or physical limitations - doctors of medicine, doctors of osteopathy, ophthalmologists, optometrists, registered nurses, therapists, professional staff of hospitals, institutions, and public or welfare agencies (e.g., social workers, case workers, counselors, rehabilitation teachers, and superintendents).
- In the case of a reading disability from organic dysfunction, the certification must be completed by doctors of medicine who may consult with colleagues in associated disciplines

**4. When must accessible materials be made available to students with print disabilities?**

Students must receive accessible materials in a timely manner.

**5. What is the definition of timely manner?**

Generally this means at the same time as their non-disabled peers.

**The Department is currently accepting public comment related to the State definition of timely manner; comments will be reviewed and may be incorporated during our next cycle of policy adoption. Please provide written comment to Leslie Bechtel Van Orman at 320 W. Main Riverton, WY 82501 or [lvonor@educ.state.wy.us](mailto:lvonor@educ.state.wy.us) by February 1, 2011.**

Each school district must ensure that all instructional materials to be used in school programs are available in a usable alternative format for each student with a disability, in accordance with their needs, at the same time that such materials are available to non-disabled students absent exceptional circumstances with respect to a particular instructional material that are beyond the control of the district. Exceptional circumstances and the school district's reasonable efforts to obtain instructional materials in a useable format must be documented on behalf of the student. Receipt of a portion of the instructional materials in alternative format shall be considered a receipt in a timely manner, if the material received covers the material currently being taught in the student's classes. When a new student enrolls in a school, the process to obtain needed materials in alternative format must be initiated without delay.

**6. What is NIMAS?**

The National Instructional Material Standard is the standard for creation of electronic files, adopted in the 2004 Reauthorization of IDEA. These files allow instructional materials to be adapted into specialized formats more quickly and efficiently.

**7. What are specialized formats?**

Audio, digital text, braille and large print.

**8. What is NIMAC?**

The National Instructional Materials Accessibility Center is a central repository for NIMAS files. School districts include wording in purchase orders and contracts with the companies which provide them with instructional materials, which require the provision of electronic files to the NIMAC. School districts provide annual assurances they are coordinating with NIMAC to the WDE. The WDE contracts with the Wyoming Institute for Disabilities to support school districts in accessing this repository.

#### **9. Who is eligible to receive accessible materials?**

Students who meet the definition of print disabled, as indicated above, can access materials created with NIMAS files. However, school districts are required to provide accessible materials to any student who needs them, whether or not NIMAS files can be used for the creation of those materials.

#### **10. In Wyoming, how does a school district access these files?**

Students must be registered through the WDE, using the NIMAC Eligibility Form which is included in the Model IEP forms. Requests can then be made through the Wyoming Institute for Disabilities at <http://www.uwyo.edu/wind/nimas/>

#### **11. What resources are available related to accessible instructional materials?**

Both the Wyoming Department of Education and the Wyoming Institute for Disabilities are available to provide technical assistance to school districts around the provision of accessible instructional materials.

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Additional resources can be found at: <http://www.uwyo.edu/wind/nimas/webresources/>