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# Pennsylvania's Guidelines for the Provision of Accessible Instructional Materials (AIM)

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AIM Guidelines

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January, 2010

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*Bureau of Special Education*  
*Pennsylvania Training and Technical Assistance Network*

# Guidelines for the Provision of Accessible Instructional Materials (AIM)

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## Introduction and Purpose

Pennsylvania academic standards describe what students need to know and be able to do as well as reflect the increasing complexity and sophistication that students are expected to achieve as they progress through school. State regulations require that schools use the standards as the basis for curriculum and instruction in Pennsylvania's public schools. [Local education agencies \(LEA\)](#) are charged with providing instruction using materials and strategies that are best suited to help students achieve.

Perhaps the most common tool used in educating students in K-12 classrooms is the textbook. The use of textbooks is one effective and potentially powerful means of supporting instruction for many learners. However, for students who struggle to read because of physical, sensory, cognitive, or learning differences, print-based materials can present unnecessary barriers to learning and achievement. In addition, evidence-based interventions designed to improve student skills in reading, while critical for school improvement and student success, are not the only means of boosting achievement in a [standards-aligned system \(SAS\)](#).

Students who are unable to use textbooks and instructional materials in a traditional way may need [accessible instructional materials \(AIM\)](#) in order to have meaningful and equal access to the general education curriculum. Such access is guaranteed in federal education statutes, such as the [Individuals with Disabilities Education Act \(IDEA\)](#) as well as in [Pennsylvania Special Education Regulations](#): Chapter 14 for school districts and Chapter 711 for charter schools. Local education agencies are required to "take all reasonable steps to provide instructional materials in accessible formats to children with disabilities who need those instructional materials at the same time as other children receive instructional materials." (IDEA 2004, Section §300.172 (b) (4) – Access to Instructional Materials)

The purpose of this document, *Pennsylvania's Guidelines for the Provision of Accessible Instructional Materials*, is to provide local education agencies with direction for identifying, locating, and providing accessible instructional materials so that all students can participate fully in the learning environment and achieve academic and functional performance goals. It also provides the information needed to comply with state and federal mandates.

For information about:

AIM, including the guidelines, consult the PaTTAN website:

[http://www.pattan.net/supportingstudents/accessible\\_instructional\\_materials.aspx](http://www.pattan.net/supportingstudents/accessible_instructional_materials.aspx)

Federal statute requirements to provide AIM, consult the Individuals with Disabilities Act (IDEA):

<http://idea.ed.gov/explore/view/p/%2Croot%2Cstatute%2C>

State requirements to provide AIM to students with disabilities in school districts, consult the Pennsylvania Special Education Regulations, Chapter 14:

<http://www.pacode.com/secure/data/022/chapter14/chap14toc.html>

State requirements to provide AIM to students with disabilities in charter schools, consult the Pennsylvania Special Education Regulations, Chapter 711:

<http://www.pacode.com/secure/data/022/chapter711/chap711toc.html>

## What are Accessible Instructional Materials (AIM)?

Accessible Instructional Materials (AIM) are [specialized formats](#) of [core instructional materials](#) that can be used by and with students with [print disabilities](#). Specialized formats include [braille](#), audio, enlarged print, and digital (electronic) text. Core instructional materials are print-based textbooks and related instructional materials published with the texts, which are written and published primarily for use in kindergarten through grade 12 (K-12) and are required by the local education agency for use by students in the classroom. Digital files of core instructional materials can be rendered in specialized formats with features such as audio access, [refreshable braille](#), text-to-speech, larger font size, or combinations of specialized formats.

Specialized formats enable students with print disabilities to gain access to curricular content, master [Individualized Education Program \(IEP\)](#) goals, and achieve academic standards. Although specialized formats differ from standard textbooks in ways that make them accessible, whether electronic, audio, printed or embossed, or provided as files with a variety of potential electronic features, accessible instructional materials provide students with the same curricular content as print-based text. The use of specialized formats is an [accommodation](#) for access to curricular content and not a [modification](#) of the content.

The use of accessible instructional materials lessens the barriers posed by traditional texts and facilitates access to learning for students with disabilities. This view of accessible curriculum is a key feature of [Universal Design for Learning \(UDL\)](#), which has the potential to improve outcomes for all learners. UDL seeks to infuse typical barrier-laden curricula with multiple, flexible strategies and tools; UDL assumes that there are opportunities for access and engagement for all learners. Many students, not only learners with disabilities, find that traditional print-based curricula do not meet their learning needs. A universally designed curriculum reflects up-front planning to meet the varied needs of the greatest number of students by offering flexible instructional materials, methods, and strategies (National Center on Universal Design for Learning, *What is UDL?*, 2009, available at <http://www.udlcenter.org/aboutudl/whatisudl>). IDEA 2004 provides a definition of universal design by reference to section 3 of the Assistive Technology Act of 1998 (Section 508 of the Rehabilitation Act, *Assistive Technology Act of 1998, 105-394, S. 2432*, available at <http://www.section508.gov/docs/AT1998.html>), as amended, 20 U.S.C. 3002 (§300.44- Universal Design). IDEA requires the use of universal design principles by LEAs in developing and administering district-wide assessments [§300.160 (g)- Participation in assessments].

### Specialized Formats

IDEA 2004 describes four kinds of specialized formats that can be used by and with students with print disabilities: braille, audio, enlarged print and electronic text. (§300.172 (e) (1) (iv) – National Instructional Materials Accessibility Standard)

**Braille** is defined by the American Foundation for the Blind (AFB) as "a series of raised dots that can be read with the fingers by people who are [blind](#) or whose eyesight is not sufficient for reading printed material... Braille is not a language. Rather, it is a code by which languages... may be written and read" (American Foundation for the Blind, *What is Braille?*, 2009, available at <http://www.afb.org/Section.asp?SectionID=6&TopicID=199>). Braille materials provide the same content as standard print, embossed on specialized paper or, when provided digitally, through specialized refreshable displays.

**Audio** is a format that allows students to access printed material by listening to audiotapes, CDs, MP3 files, text-to-speech programs, and other auditory alternatives to printed texts.

**Enlarged print** is defined by the American Printing House for the Blind (APH) as “print for text passages that is larger than the print used by that segment of the population with normal vision” (American Printing House for the Blind, *APH Educational Research*, 2004, available at <http://www.aph.org/edresearch/lpguide.htm>). Enlarged print format provides the same content as standard print, in larger, often simpler font type or page sizes to enable those with visual impairments to read more easily.

**Electronic text** (also known as digital text or E-text) files include Microsoft Word and other file formats produced by word processing programs, such as Rich Text Format (RTF), American Standard Code for Information Interchange (ASCII), Hypertext Markup Language (HTML) and Digital Talking Books (DTB - [DAISY](#) format). Such files can be transformed into accessible forms that include font size and color options, text-to-speech tools, and other text enhancement features. (Center for Applied Special Technology, *What Are AIM?*, 2008, available at <http://aim.cast.org/learn/accessiblemedia/allaboutaim>).

For more information about:

How specialized formats of print curricular materials are created, made available to, and used by students, see ***The Promise of Accessible Textbooks: Increased Achievement for All Students*** (Stahl, 2004). For the full text of the article: [http://www.cast.org/publications/ncac/ncac\\_accessible.html](http://www.cast.org/publications/ncac/ncac_accessible.html).

Alternate formats of print materials, see [Appendix A: Specialized Format Options](#)

Assistive Technology Act of 1998: <http://www.section508.gov/docs/AT1998.html>

Universal Design for Learning, Center for Applied Special Technology (CAST): <http://www.cast.org/research/udl/index.html>

## Which Students Need Accessible Instructional Materials (AIM)?

Students with sensory, physical, cognitive, or learning differences that effectively limit their ability to use standard print materials such as textbooks need accessible instructional materials (AIM) in order to access and progress in the general education curriculum. Such barriers to accessing print materials due to disability may be referred to as [print disabilities](#), which is a term used in long-standing [Library of Congress regulations](#) related to provision of reading materials in alternate formats.

IDEA 2004 references these regulations, and further outlines the responsibilities of the LEA to provide AIM for students with IEPs who need them. However, some protected handicapped students served under Chapter 15 may also qualify as persons with a print disability under the Library of Congress definition, and may be provided with AIM as part of the 504 service agreement.

## Who qualifies as a student with a print disability and why is this important?

IDEA 2004 requires that state and local education agencies “provide instructional materials to blind persons or other persons with print disabilities in a [timely manner](#).” To provide a definition for “blind or other persons with print disabilities,” IDEA refers to 1931 Library of Congress regulations, which include persons who are blind or visually impaired and those with physical and learning disabilities of sufficient severity to prevent their reading printed material in a typical manner. It also defines which professionals are considered competent authority to certify a print disability.

The Library of Congress regulations (2 U.S.C. 35a; 46 Stat. 1487) related to the [Act to Provide Books for the Adult Blind](#) provide that “blind persons or other persons with print disabilities” include: "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."

[Competent authority](#) is defined in 36 CFR 701.10(b)(2) as: "In cases of blindness, visual disability, or physical limitations 'competent authority' is defined to include 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, competent authority is defined as doctors of medicine who may consult with colleagues in associated disciplines."

It is important to understand that converting standard print material into alternate formats for AIM has copyright implications. Most sources of AIM use the above definitions to determine whether a student qualifies for exemption from copyright law as a person with a print disability, and therefore is eligible to receive copyright protected material in alternate formats. This eligibility may apply to students with IEPs as well as to students with 504 plans. However, eligibility for materials from AIM sources and need for AIM are not synonymous. IDEA 2004 makes it clear that LEAs are responsible for providing AIM for students with IEPs who need it, regardless of the student's eligibility for files in specialized formats.

For information about:

Federal statutes and state regulations regarding the requirements to provide AIM to students with disabilities: [Appendix B: Understanding Statutes Regarding AIM](#) and

IDEA 2004: <http://idea.ed.gov/explore/view/p/%2Croot%2Cstatute%2C>

Who qualifies for copyright exemption: [http://nimas.cast.org/about/resources/who\\_qualifies](http://nimas.cast.org/about/resources/who_qualifies)

### **Who decides which students need accessible instructional materials (AIM)?**

The need for AIM is determined on a case-by-case basis by students' IEP or 504 teams, which always include parents/guardians. As part of the IEP process, the IEP team is responsible for determining whether a student is in need of AIM. Once an IEP team determines that a student needs AIM, that determination should be documented in the IEP.

### **How does the IEP team determine a student's need for accessible instructional materials (AIM)?**

Determining whether the student is in need of AIM may occur as part of the special considerations the IEP team addresses before developing the IEP. Access to print materials may be discussed as part of consideration of whether the student is blind or visually impaired, or in need of assistive technology devices and services.

These considerations, which must be addressed for every student with an IEP, will require review of the student's evaluation information, including examining reading assessment data relative to the reading levels of assigned texts. Concerns that are identified in this process regarding access to instructional materials should then be addressed in the Present Levels of Academic Achievement and Functional Performance section. This may include data on various measures such as reading rate, comprehension measures, level of engagement, and independent use of standard texts. Data on trials with alternate formats, including those that require assistive technology may also be included.

If the team determines that the student is unable to read grade level print instructional materials at a sufficient rate and with adequate comprehension to complete academic/curricular tasks with success, relative to same-age peers, or cannot do this independently, or cannot do this across environments and tasks, then the student may need AIM.

See [Appendix F: Questions to Ask When Determining a Student's Need for AIM](#)

### **How does the IEP team document the need for AIM?**

Results of the team's consideration should be recorded in the IEP, under Present Levels of Academic and Functional Performance, including a statement of the student's need for AIM, qualifications for specialized formats of print materials and the type or types of formats the student requires. Information regarding the instruction, services, and assistive technology the student needs in order to use the specialized format may be documented as Specially Designed Instruction or as Supplementary Aids and Services. The team should also identify the person or persons responsible for providing the specialized format, determine whether or not the student requires the format for use at home or in another setting, and ensure that the student's print disability is documented by a competent authority and on file in the student's record.

After the IEP team has determined that the student with a print disability needs a specialized format(s) of a particular curriculum material as part of the IEP, the team must provide the accessible instructional material to the student at the same time that print versions of the same material are made available to all students.

If the IEP team determines that the curriculum material is unavailable at the LEA, the team acquires the material from an outside entity or produces the accessible material at the local level and provides AIM to the student in a timely manner, according to the procedures established by the LEA.

For more information about:

Sources of AIM, see [Table 1: Determining Sources of Accessible Instructional Materials \(AIM\) for Students in Pennsylvania](#)

Who qualifies for copyright exemption: [http://nimas.cast.org/about/resources/who\\_qualifies](http://nimas.cast.org/about/resources/who_qualifies)

How LEAs can obtain AIM for students, see [Appendix G: Locating and Obtaining AIM for Students](#) and [Table 2: Sources of AIM by Specialized Format](#)

PaTTAN AIM Center Support and Services, see [Appendix H: PaTTAN AIM Center Support and Services](#)

## What are a Local Education Agency's (LEA) Responsibilities?

In order to meet their responsibilities regarding AIM, local education agencies should comply with legal requirements, determine student need for accessible materials, and confirm student eligibility for particular sources of AIM. Also, LEAs should develop policies and procedures at the local level for locating, providing, and monitoring AIM and request that publishers submit specific standardized files to a national repository for development of specialized formats. In addition, LEAs should purchase accessible instructional materials directly from commercial sources, whenever possible.

LEA responsibilities are the following:

### Provide legal assurances regarding provision of AIM

Under federal and state statutes, LEAs are required to acquire and provide accessible instructional materials to students with disabilities who need them. Local education agencies provide assurances annually to the Pennsylvania Department of Education regarding the provision of AIM by declaring that students with disabilities who need instructional materials in accessible formats receive those materials in a timely manner. This occurs as part of the IDEA- Part B grant application process that is completed by LEAs on an annual basis.

### Determine sources of AIM for individual students

In order to comply with federal and state statutes, LEAs can obtain instructional materials from a number of national, state, and local sources. Most of these sources have clearly defined eligibility criteria. The [National Instructional Materials Access Center \(NIMAC\)](#) and [authorized entities: Bookshare, Recording for Blind and Dyslexic \(RFB&D\), and American Printing House for the Blind \(APH\)](#) require that each user qualifies as a person with a print disability, as certified by competent authority as referenced in the Library of Congress regulations, in order to receive copyright protected materials in specialized formats. Authorized entities utilize membership agreements for assuring that the students who receive accessible instructional materials are “eligible” or “qualified” under the [Copyright Act as Amended](#) (often referred to as the Chafee Amendment). To obtain specialized formats of instructional materials from these entities and the PaTTAN AIM Center, LEAs must maintain records of student eligibility.

For students with qualifying print disabilities, local education agencies have a responsibility, including assumption of any costs, to obtain the appropriate print disability certifications for these students.

It is important to note that many students with disabilities who need AIM will not be eligible for materials from all sources, such as the NIMAC and authorized entities, because they may not qualify under the eligibility categories (i.e., blind persons or other persons with print disabilities). However, IDEA requires that all students with disabilities who need AIM should be provided with the instructional materials they need, in the formats they need, at the time the materials are needed. IDEA 2004 states the following:

“Nothing in this section relieves an SEA of its responsibility to ensure that children with disabilities who need instructional materials in accessible formats, but are not included under the definition of blind or other persons with print disabilities in 34 CFR 300.172(e)(1)(i) or who need materials that cannot be produced from NIMAS files, receive those instructional materials in a timely manner.

In order to meet its responsibility under paragraphs 34 CFR 300.172 (b)(2), (b)(3), and (c) to ensure that children with disabilities who need instructional materials in accessible formats are provided those materials in a timely manner, the SEA must ensure that all public agencies take all reasonable steps to provide instructional materials in accessible formats to children with disabilities who need those instructional materials at the same time as other children receive instructional materials.” [34 CFR 300.172(b)] [20 U.S.C. 1412(a)(23)(B)]

For information about sources of AIM, see: [Table 1: Determining Sources of Accessible Instructional Materials \(AIM\) for Students in Pennsylvania](#)

### **Develop local policies and procedures to assist teams to determine student needs for AIM, obtain print materials in specialized formats, and provide students with AIM supports**

Because the need for AIM is determined by the IEP or 504 team, it is important that parents and staff have access to information and assistance they need in order to make appropriate decisions. LEAs should provide guidance to teams in identifying students’ needs for AIM, locating and acquiring appropriate materials, and incorporating AIM into student IEP and 504 plans.

Specialized formats often require the use of [assistive technology](#) devices or software. In order to use specialized formats of curricular materials successfully, students who require AIM are likely to need assistive technology supports and services. Training and technical assistance are important components of an assistive technology implementation plan, and are required by IDEA. Teams should have access to technical assistance from someone knowledgeable about the devices and/or software that are being considered or recommended. Resources and supports for identifying, selecting, and using accessible instructional materials and assistive technologies are available from local and state sources. The Pennsylvania Training and Technical Assistance Network (PaTTAN) Short Term Loan (STL) Program is a library of assistive technology and resource materials available to local educational agencies for trial and assessment.

Staff development and technical assistance are available to school districts and intermediate units from PaTTAN educational consultants and intermediate unit assistive technology consultants. In addition, Pennsylvania’s Initiative on Assistive Technology (PIAT) at the Institute on Disabilities at Temple University and PIAT’s Assistive Technology Resource Centers (ATRCs) across the Commonwealth provide access to assistive technology devices and services for all Pennsylvanians with disabilities.

Utilizing these resources and supports, LEAs can identify and, if needed, obtain training for staff at the building level who will be available to serve as a resource to teams, including the students using AIM and their families.

For information about:

How LEAs can obtain AIM for students: [Appendix G: Locating and Obtaining AIM for Students](#), and [Table 2: Sources of AIM by Specialized Format](#)

PaTTAN AIM Center Support and Services: [Appendix H: PaTTAN AIM Center Support and Services](#)

Assistive technology: <http://www.pattan.net/supportingstudents/AssistiveTechnology.aspx>

PIAT: <http://disabilities.temple.edu/programs/assistive/piat/>

## Maintain appropriate documentation of requests, receipt, distribution, and monitoring of digital materials and copyright compliance

Each local education agency should have a mechanism for administering AIM, which includes [digital rights management](#). It is recommended that the LEA chief administrator designate a staff person or persons to request, receive, distribute, and monitor the usage of copyrighted accessible instructional materials, maintain records of student eligibility, and provide supports for staff and students in ongoing school level copyright compliance.

See [Appendix E: Management of AIM](#)

## Establish textbook purchasing practices that support the timely provision of AIM

Curriculum committees should include special educators in decision-making about print instructional materials, in order to select textbooks and other core instructional materials with the needs of all students in mind. Curriculum personnel need to be aware of [accessibility](#) issues and needs before adopting or purchasing texts. By purchasing accessible versions of text directly from publishers whenever they are available, LEAs will eliminate some of the steps required to obtain materials from other sources, and be better able to provide AIM in a timely manner.

**Timely manner** is defined in PA Chapter 14 as at the same time as students without disabilities receive their textbooks and core related instructional materials. The regulations specifically prohibit withholding materials from other students until accessible formats are available, but allow for receipt of partial portions of instructional materials to cover areas currently being taught. Chapter 14 requires that eligible students receive AIM within 10 school days of determination of the students' needs for specialized formats.

It is strongly advised that the LEA maintain a purchased print copy of materials for each student. This practice facilitates conversion to alternate formats locally and by some [accessible media producers](#) (AMP) that may request a copy of the print materials. Students may also need print copies if they require AIM in different formats for different tasks or situations.

See [Appendix D: Questions to Ask Publishers Before Purchasing Textbooks](#)

## Request that publishers deposit NIMAS compliant files into the NIMAC

IDEA requires that LEAs include language in all contracts and purchase orders for textbooks or other print instructional materials (regardless of publication date) requiring the publisher to submit [National Instructional Materials Accessibility Standard \(NIMAS\)](#) compliant source files to the National Instructional Materials Access Center (NIMAC). NIMAS is a technical standard used by publishers to produce source files that are used to develop specialized formats. The NIMAC is the national repository for NIMAS files. Only [Authorized Users \(AU\)](#) have direct access to the NIMAC to download NIMAS file sets or assign NIMAS file sets for download by an accessible media producer (AMP). Pennsylvania's authorized user is the PaTTAN AIM Center.

A PennLink issued 5/13/2009 recommends that LEAs include the following language on all contracts and purchase orders for instructional print materials:

“By agreeing to deliver the instructional materials on this contract or purchase order, the publisher agrees to prepare and submit, on or before the delivery of the materials, a NIMAS file set to the NIMAC that complies with the terms and procedures set forth by the NIMAC. Should the vendor be a distributor of the materials and not the publisher, the distributor agrees to notify immediately the publisher of its obligation to submit NIMAS file sets of the purchased products to the NIMAC. The files will be used for the production of alternate formats as permitted under the law for students with print disabilities.”

See [Appendix C: PennLink Language to Use in All Textbook Purchase Orders](#)

## Conclusion

The Pennsylvania Department of Education and Bureau of Special Education view the timely provision of accessible instructional materials (AIM) to students who need them as more than meeting a federal or state mandate. Appropriate, comprehensive, and accessible materials and resources are an important component of the Pennsylvania Standards Aligned System (SAS). Together with clear standards, fair assessments, effective instruction, evidence-based interventions, and a strong curriculum framework, high quality materials are provided as tools to support achievement for all Pennsylvania students. PaTTAN is committed to providing the necessary services, training, and technical assistance to Intermediate Units and LEAs to meet the mandate and foster student achievement.

## Glossary

### *Accessibility:*

Within the context of this document, accessibility is the extent to which a student can gain access to print materials in a way that meets his or her needs at the time the materials are needed.

### *Accessible Instructional Materials (AIM):*

AIM are specialized formats of curricular content. These textbook or other core instructional materials may be rendered in braille, audio, digital, or enlarged print format.

### *Accessible Media Producer (AMP):*

AMPs are companies or agencies that create fully-accessible, specialized, student-ready formats, including braille, enlarged print, audio, and digital formats.

### *Accommodation:*

Accommodations refer to the teaching supports and services that the student requires to successfully demonstrate learning. Accommodations do not change curriculum expectations.

### *Act to Provide Books for the Adult Blind:*

An Act to Provide Books for the Adult Blind is Public Law 89-522, often referred to as Pratt-Smoot Act of 1931. It established the Division for the Blind of the Library of Congress (now known as the National Library Service or NLS).

### *American Printing House for the Blind (APH):*

The American Printing House for the Blind (APH) is a nonprofit organization that creates educational, workplace, and independent living products and services for people who are visually impaired.

### *Assistive Technology:*

Assistive technology is any item, piece of equipment, or system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

### *Authorized Entities:*

Authorized entities are nonprofit organizations or governmental agencies that have a primary mission to provide specialized services relating to training, education, or adaptive reading or information access needs of blind or other persons with disabilities. Under an exemption to copyright law, authorized entities do not require permission from publishers to create materials in specialized formats. The PaTTAN AIM Center is an authorized entity. Examples of federally funded authorized entities are Bookshare, Recording for the Blind and Dyslexic (RFB&D), and American Printing House for the Blind (APH).

### *Authorized User (AU):*

An AU is a person(s) who is authorized to access NIMAS (National Instructional Materials Accessibility Standard) files from the NIMAC (National Instructional Materials Access Center). Authorized users can directly download NIMAS file sets or assign NIMAS file sets for download by an accessible media producer (AMP) for conversion into specialized formats.

*Blind:*

*Blindness:* The inability to see; the absence or severe reduction of vision.

*Functional Blindness:* A condition in which some useful vision may or may not be present. In such cases, individuals use tactile and auditory channels most effectively for learning.

*Blind for Legal Purposes:* Legal blindness is defined as having a visual acuity of 20/200 or less in the better eye after best correction with conventional lenses or a restricted visual field with a diameter or no more than 20 degrees.

*Bookshare:*

Bookshare is an online library that provides accessible books and periodicals to individuals with print disabilities.

*Braille: Uncontracted and Contracted:*

Braille is a system of reading and writing that uses raised dots. The braille code used for writing regular text in books, magazines, school reports, and letters is known as "literary braille." Literary braille can be contracted or uncontracted. In addition to literary braille, there are other codes that allow individuals who are blind to write many other things, from math problems to music notes to computer notation. Uncontracted braille, which replaces the term *grade 1 braille*, represents words in braille code in a letter for letter correspondence, just as in print. Contracted braille, which replaces the term *grade 2 braille*, is shorthand for words and part-words.

*Copyright Act as Amended (Chafee Amendment):*

The Chafee Amendment to the Copyright Act, 17 U.S.C. Section 121, is a special exemption in copyright law that allows an authorized entity to reproduce or distribute copyrighted materials in specialized formats for blind or other persons with disabilities without the need to obtain permission of the copyright owner.

*Competent Authority:*

Student eligibility for specialized formats of copyrighted materials must be documented by a "competent authority," which legislation defines as follows: In cases of blindness, visual disability, or physical limitations "competent authority" is defined to include 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 reading disability from organic dysfunction, "competent authority" is defined as doctors of medicine who may consult with colleagues in associated disciplines.

*Core Instructional Materials:*

Core instructional materials are print textbooks and related print core materials published with the texts that are written and published primarily for use in elementary and secondary school instruction and required by the LEA for use by students in the classroom.

*Digital Accessible Information System (DAISY):*

DAISY is a standard for the production of print materials in an accessible digital format. It is a universal format for publishing and reading Digital Talking Books.

*Digital Rights Management:*

Digital rights management refers to systems that are used to protect the copyrights of electronic media.

*Individualized Education Program (IEP):*

An individualized education program (IEP) is a written agreement for each child with a disability that describes the student's special educational program. Each IEP is a legal document that spells out, among other things, the special education services, as well as activities and supports each student will receive.

*Local Education Agency (LEA):*

An LEA is an educational agency at the local level that exists primarily to operate schools or to contract for educational services.

*Modification:*

Modification refers to changes made to curriculum expectations in order to meet the needs of the student. Modifications are made when the expectations are beyond the student's level of ability. Modifications may be minimal or very complex depending on the student performance. Modifications must be clearly acknowledged in the IEP.

*National Instructional Materials Access Center (NIMAC):*

The NIMAC is the national repository for NIMAS (National Instructional Materials Accessibility Standard) files. Only authorized users (AU) have direct access to the NIMAC to download NIMAS file sets or assign NIMAS file sets for download by an accessible media producer (AMP). Pennsylvania's authorized user is the PaTTAN AIM Center.

*National Instructional Materials Accessibility Standard (NIMAS):*

NIMAS is a technical standard used by publishers to produce electronic files for conversion into specialized formats, such as braille, enlarged print, HTML versions, digital talking books using human voice recording or synthesized speech, audio files derived from text-to-speech transformations, and more. Because of an exemption to copyright law, publishers are allowed to deliver the electronic content of textbooks and related core materials (NIMAS files) to the NIMAC (National Instructional Materials Access Center).

*Organic Dysfunction:*

For the purposes of this document, organic dysfunction refers to a reading disability that has a physical cause.

*Print Disabilities:*

Students with print disabilities under the Copyright Act as Amended are those who have been certified by a competent authority as unable to read printed materials because of blindness, visual impairment, physical limitations, or reading disabilities as the result of organic dysfunction.

*Recording for the Blind and Dyslexic (RFB&D):*

Recording for the Blind and Dyslexic (RFB&D) is an accessible audiobook library for students with disabilities.

*Refreshable Braille:*

Refreshable braille is an electromechanical device that renders braille with tiny, independently controlled pins used to represent the state of dots in braille cells.

*Specialized Formats/Alternate Formats:*

Under the Copyright Act as Amended, specialized formats are defined as braille, enlarged print, audio, and digital text.

*Standards Aligned System (SAS):*

Standards Aligned Systems (SAS) is the Pennsylvania Department of Education’s model for achieving consistent, standards-based, sustainable educational improvement across the Commonwealth of Pennsylvania’s public education system. The SAS model is based upon the premise that six core components are required to provide a consistent environment in which student achievement is possible in a comprehensive manner: clear standards, fair assessments, effective and engaging instruction, comprehensive instructional resources, targeted and proactive interventions, and strong curriculum framework.

*Timely Manner:*

Chapter 14 of the Pennsylvania Special Education Regulations defines “timely manner” as the provision of accessible instructional materials at the same time as other students receive instructional materials. IDEA requires that LEAs “act in a timely manner...to take steps to ensure that children who are blind or other persons with print disabilities have access to their accessible format instructional materials at the same time that students without disabilities have access to instructional materials.”

*Universal Design for Learning (UDL):*

UDL provides a blueprint for creating flexible goals, methods, materials, and assessments that accommodate learner differences. A universally-designed curriculum offers the following: multiple means of representation to give learners various ways of acquiring information and knowledge, multiple means of action and expression to provide learners alternatives for demonstrating what they know, and multiple means of engagement to tap into learners' interests, challenge them appropriately, and motivate them to learn.

## Resources

AIM Consortium at the Center for Applied Special Technology (CAST): <http://aimconsortium.cast.org/node>

American Foundation for the Blind (AFB): [www.afb.org](http://www.afb.org)

American Printing House for the Blind (APH): [www.aph.org](http://www.aph.org)

Bookshare: [www.bookshare.org](http://www.bookshare.org)

CAST Accessible Instructional Materials: <http://aim.cast.org/>

DAISY Consortium: [www.daisy.org/about\\_us](http://www.daisy.org/about_us)

National Library Service for the Blind and Physically Handicapped (NLS): [www.loc.gov/nls](http://www.loc.gov/nls)

National Instructional Materials Access Center (NIMAC): <http://nimac.us>

PaTTAN AIM Center: [www.pattan.net/supportingstudents/accessible\\_instructional\\_materials.aspx](http://www.pattan.net/supportingstudents/accessible_instructional_materials.aspx)

Pennsylvania's Initiative on Assistive Technology (PIAT): <http://disabilities.temple.edu/programs/assistive/piat/>

Recording for the Blind and Dyslexic (RFB&D): [www.rfbd.org](http://www.rfbd.org)

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## Appendix A: Specialized Format Options

Accessible instructional materials can be rendered in specialized formats, which refers to braille, enlarged print, audio and digital versions of text. These four terms are not mutually exclusive (e.g., braille and audio may be rendered digitally) and formats are often used by students in combination. This appendix provides a brief explanation of these as well as related terms.

### Braille and Tactile Graphics

Braille is a tactile code that is used instead of print as a medium for reading and writing. Varied arrangements of raised dots representing letters and numerals are identified by touch. Typically, each character or "cell" is made up of 6 dots, and there are several different codes that are in general use. Uncontracted braille represents each print character as one braille cell; contracted braille is a form of shorthand where groups of letters may be combined into a single braille cell.

**Hard copy braille** is produced by embossers that print braille output from a computer by punching dots onto paper.

**Electronic braille** is braille in digital format that can be read by refreshable braille devices.

**Tactile graphics** are raised representations of graphically presented information such as maps, charts and diagrams.

### Electronic or Digital text

#### DAISY Digital Talking Book (DTB)

A DAISY Digital Talking Book (DTB) is a multimedia representation of a print publication. A DAISY book can be produced with a mix of text and audio ranging from audio-only, to full text and audio, to text-only. A digital talking book combines extensive navigation capabilities with multimedia support and has synchronized text-to-speech and/or recorded human voice. Digital talking books can be played on stand-alone DAISY players, computers using DAISY playback software, MP3 players, and mobile phones. A DAISY-text book can be read using refreshable braille displays or screen reading software, embossed on paper as a braille book, printed on paper as an enlarged print book, and read as large print text on a computer screen. DAISY books can be distributed on CD/DVD, memory cards, or online.

#### Hypertext Mark-up Language (HTML)

HTML is the authoring language used to create documents on the Web. HTML defines the layout and structure of a web document by using a variety of tags and attributes. HTML offers some navigation structure and accessibility, images and their text equivalents can be included, is cross platform, and is readable by many speech reading systems and web browsers with text-to-speech capability.

#### Microsoft Word & PowerPoint (.doc; .ppt)

Word and PowerPoint are Microsoft's word processing and presentation graphics programs, respectively. Both programs are cross platform, have some structure with limited navigation, have image support, and are readable by some speech reading systems.

**Rich Text Format (.rtf)**

RTF is a document file format designed by Microsoft, and used as a universal standard for exchanging documents between different programs. It is cross platform, has unstructured text with no image support, has no built-in navigation, and is readable by many speech reading systems.

**Microsoft Reader (.lit)**

Microsoft Reader is a free, downloadable software application that allows users to read eBooks on Windows-based devices. Features include: text with some structure, can be read aloud with MS Reader text-to-speech utility, and can include images and hyperlinks.

**Adobe Flash (.swf)**

Flash is a cross-platform, proprietary interactive animated graphics format, often used in commercial e-books. Flash products can be made accessible or can incorporate accessibility features (such as text-to-speech) if so designed.

**Portable Document Format (.pdf)**

PDF is a file format developed by Adobe Systems that preserves most attributes (including color, formatting, and graphics) of a document regardless of the application, platform, and hardware type that was originally used to create it. PDF allows users to capture and view documents from almost every application on any computer system and share it with anyone. PDF files can be viewed using Adobe Acrobat Reader, which is a free software application. They are cross platform, include images and hyperlinks, can be viewed in most web browsers, and can be structured and made accessible through tagging. PDF tags provide a structured, textual representation of the PDF that can be read using screen reader software.

**Braille-Ready File (.brf)**

BRF is a specialized digital text format used to create braille. A braille ready file can be read on a braille display or sent to a braille embosser.

**American Standard Code for Information Interchange (ASCII)**

ASCII is the most common format for text files in computers and on the Web. It is a digital text file containing unstructured text based on the English alphabet.

**Enlarged print****Hard Copy Enlarged Print**

The standard size of hard-copy enlarged print is 18 point. Some materials may be 14 point or larger than 18 point.

**Electronic Magnification**

An electronic magnification reading system enables a visually impaired user to read a variety of materials and writing. Many electronic magnification systems use a mounted or hand-held video camera to project a magnified image of a printed material onto a dedicated video monitor or television screen.

### **Low Vision Devices also known as Optical or Non Optical Devices**

Optical devices include hand-held/free-standing/spectacle-mounted magnifiers and telescopes. Non-optical devices include bold and raised lined paper, bold markers, writing guides, desktop and floor reading stands, and supplemental lighting sources.

### **Audio**

Accessible instructional materials can be rendered in specialized formats that can be presented auditorily using various technologies. These technologies can provide pre-recorded human voice or synthesized speech with or without electronic text. Audio access via electronic (digital) text formats can be provided by text-to-speech software (that “reads” aloud targeted text) and screen reader software (that speaks aloud onscreen text as well as the computer interface).

Electronic text formats can also be used with many digital talking book players. Audio access using pre-recorded formats, either human voice recording or synthesized speech, can be accessed or listened to with playback devices, such as tape, CD, or media players and digital talking book players. Authorized entities and other AIM sources produce different types of specialized formats for audio playback (e.g., RFB&D produces audio formats and Bookshare produces digital text formats).

## Appendix B: Understanding Statutes Regarding AIM

Timely access to appropriate and accessible instructional materials is an inherent component of an education agency's obligation under IDEA to ensure that a free and appropriate public education (FAPE) is available for children with disabilities, and that these students participate in the general curriculum as specified in their IEPs. Such access is guaranteed by state and federal education statutes, which require local education agencies to provide specialized formats of print-based core instructional materials to students who have disabilities that impact their ability to use print-based materials.

Federal statutes, including Civil Rights legislation, have created compelling mandates for states and LEAs to ensure that students with disabilities access, participate, and achieve in the general educational curriculum. These statutes include:

- [The Rehabilitation Act of 1973 \(Section 504\)](#)
- [Title II of the Americans with Disabilities Act of 1990](#)
- [Library of Congress regulations](#) – Act to Provide Books for the Adult Blind
- [Individuals with Disabilities Education Improvement Act](#) (IDEA) 2004

Pennsylvania's requirements for provision of AIM, including coordination with the NIMAC, are found in Special Education regulations:

- Pennsylvania State Board of Education Special Education [Chapter 14 Regulations](#) and [Chapter 711 Regulations](#)

[Section 504 of the Rehabilitation Act of 1973](#) prohibits discrimination on the basis of physical or mental disability (29 U.S.C. 794):

"No otherwise qualified individual with a disability in the United States ... shall, solely by reason of his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..."

The Section 504 regulation applies to all recipients of this funding, including—

"a department, agency, special purpose district, or other instrumentality of a state or of a local government";

"the entity of such state or local government that distributes such assistance and each such department or agency (and each other state or local government entity) to which the assistance is extended, in the case of assistance to a state or local government"; or

"a local educational agency (as defined in section 2891(12) of title 20), system of vocational education, or other school system".

Funding recipients must provide "auxiliary aids to qualified students who have disabilities" and the Office of Civil Rights, United States Department of Education, has determined that Section 504 at 34 C.F.R. § 35.160 (Communication):

"...in this context to mean the transfer of information, including (but not limited to) the verbal presentation of a lecturer, the printed text of a book, and the resources of the Internet. In construing the conditions under which communication is "as effective as" that provided to non-disabled persons, on several occasions OCR has regarded the three basic components of effectiveness as timeliness of delivery, accuracy of the translation, and provision in a manner and medium appropriate to the significance of the message and the abilities of the individual with the disability." (OCR Letter, UC Fullerton, Docket Number 09-03-2166, 2003)

[Title II of the Americans with Disabilities Act of 1990](#) (42 U.S.C. 12131 et seq.) prohibits discrimination by state and local government agencies on the basis of disability. The requirements regarding the provision of auxiliary aids and services described in the Section 504 regulation are adopted in the general non-discrimination provisions of the Title II regulation (28 CFR Part 35).

The [Library of Congress regulations](#) (36 CFR 701.10(b)(1)) related to the *Act to Provide Books for the Adult Blind* (approved March 3, 1931, 2 U.S.C. 135a) provide that *blind persons or other persons with print disabilities* include:

- "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."

*Competent authority* is defined in 36 CFR 701.10(b)(2) as follows:

- "In cases of blindness, visual disability, or physical limitations 'competent authority' is defined to include 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, competent authority is defined as doctors of medicine who may consult with colleagues in associated disciplines."

*Specialized formats* has the meaning given the term in section 121(d)(4) of title 17, United States Code:

- "Braille, audio, or digital text which is exclusively for use by blind or other persons with disabilities."
- "With respect to print instructional materials, includes large print formats when such materials are distributed exclusively for use by blind or other persons with disabilities."

The **Individuals with Disabilities Education Improvement Act of 2004** in its [National Instructional Materials Accessibility Standard-related sections](#) requires that State Education Agencies (SEAs) and/or Local Education Agencies (LEAs) "will provide instructional materials to blind persons or other persons with print disabilities in a timely manner" (Part B, Sec. 612(a)(23)(B) and Sec. 613(a)(6)(B)).

Part D, Sec. 674(e)(3)(A) of the same act refers to the *Library of Congress regulations* (36 CFR 701.10(b)(1)) related to *An Act to Provide Books for the Adult Blind* (approved March 3, 1931, 2 U.S.C. 135a) to provide a definition for "blind or other persons with print disabilities."

Federal regulations note that not all students unable to use standard print materials will be eligible for material available from the NIMAS/NIMAC initiative, nevertheless...

"...nothing in this section would relieve an SEA (or LEA) of its responsibility to ensure that children with disabilities who need instructional materials in accessible formats, but who do not fall within the category of children for whom the SEA may receive assistance from NIMAC, receive those instructional materials in a timely manner. Timely access to appropriate and accessible instructional materials is an inherent component of public agencies' obligations under the Act to ensure that FAPE is available for children with disabilities and that they participate in the general education curriculum as specified in their IEPs." (Section § 300.172(b)(3))

[Chapter 14 Pennsylvania Regulations](#) and [Chapter 711 Pennsylvania Regulations](#) further support and define local education agencies' roles in providing AIM by:

- Adopting the National Instructional Materials Accessibility Standard (NIMAS) for the purpose of providing print instructional materials in alternate accessible formats in a timely manner.
- Defining timely manner as:
  - At the same time as students without disabilities
  - Prohibits withholding materials from other students until accessible formats are available
  - Allows for receipt of partial portions of instructional materials to cover areas currently being taught
- Requiring that AIM be provided to eligible students within 10 school days of determination that a child is in need of specialized formats.
- Establishing coordination with the National Instructional Materials Access Center (NIMAC) to facilitate the production and delivery of materials to eligible children. The coordination requires that textbook publishers deliver to the NIMAC core instructional materials on or before the delivery of print materials to the agency.

The LEA bears the responsibility of providing AIM to all students with IEPs who require AIM as part of FAPE. It is the responsibility of the IEP team to assess and recommend the most appropriate method(s) of accessing instructional material.

Under IDEA 2004 the following students are in need of AIM:

- Those with a print disability who qualify under the Copyright Act as Amended

- Those with a print disability who don't qualify under the Copyright Act as Amended

Students with a print disability who qualify under the Copyright Act as Amended are:

- Students who have a disability based on blindness or visual impairment, or physical disability, or have a reading disability based upon organic dysfunction *and* have an IEP.
- Students who have access to specialized formats such as braille, enlarged print, audio and e-text/digital, which are available from a variety of sources.
- Those students who require accommodations but do not require specialized instruction are not qualified for materials from the NIMAC but have access to all other services.

Students who do not qualify under the Copyright Act as Amended but have been determined by the educational team to be in need of AIM have the options of enlarged print, audio and digital text to access core instruction print materials. Materials can be acquired through the publishers or by local production.

Access to NIMAS materials in no way denies the student access to core instructional materials in a timely manner as defined by PA Chapter 14.

For more information: Building the Legacy: IDEA 2004

<http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CTopicalArea%2C10%2C>

## Appendix C: PennLink Language to Use in All Textbook Purchase Orders

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF EDUCATION  
May 13, 2009

**SUBJECT:** Language for Use in All Textbook Purchase Orders to Ensure Timely Access to Accessible Instructional Materials for Students with IEPs, as Required by IDEA 2004, PA Chapters 14 and 711

**TO:** School District Superintendents  
School District Curriculum Directors  
School District Special Education Directors  
School District Business Managers  
Intermediate Unit Executive Directors  
Intermediate Unit Special Education Directors  
Charter School Chief Executive Officers

**FROM:** John J. Tommasini,  
Director, Bureau of Special Education

In order to comply with IDEA 2004 and Chapters 14 and 711, all Pennsylvania LEAs have a responsibility to obligate publishers to submit essential source materials to the National Instructional Materials Access Center (NIMAC). The NIMAC is a central repository for processing, storing and distributing K-12 print instructional materials files to facilitate ease of accessing digital, audio, Braille and large print formats for eligible students.

All Pennsylvania LEAs must include language in purchase orders for textbooks or other print instructional materials (regardless of date of publication) requiring the publishers to submit files to the NIMAC. To assist LEAs in complying with this obligation, below is recommended language to include on all purchase orders:

“By agreeing to deliver the instructional materials on this contract or purchase order, the publisher agrees to prepare and submit, on or before the delivery of the materials, a NIMAS file set to the NIMAC that complies with the terms and procedures set forth by the NIMAC. Should the vendor be a distributor of the materials and not the publisher, the distributor agrees to notify immediately the publisher of its obligation to submit NIMAS file sets of the purchased products to the NIMAC. The files will be used for the production of alternate formats as permitted under the law for students with print disabilities.”

For additional information regarding Accessible Instructional Materials requirements in IDEA 2004, or PA Chapters 14 and 711, please visit the PaTTAN website at [www.pattan.net](http://www.pattan.net) or contact your local Intermediate Unit Assistive Technology Consultant.

Questions may also be directed to the following PaTTAN Educational consultants:

In eastern PA: Susan Gill ([sgill@pattan.net](mailto:sgill@pattan.net))

In central PA: Frank Irzyk ([firzyk@pattan.net](mailto:firzyk@pattan.net))

In western PA: Debby Holzapfel ([dholzapfel@pattan.net](mailto:dholzapfel@pattan.net))

Penn\*Link

## Appendix D: Questions to Ask Publishers Before Purchasing Textbooks

Local education agencies are required to ensure that students with print disabilities who do not qualify for specialized formats are provided with accessible instructional materials. Preference may be given to publishers that are able to provide instructional materials in both print and accessible digital formats, including all of the materials' text and images.

LEAs may ask publishers to respond to the following questions when purchasing textbooks and core related instructional materials.

1. Do you provide fully accessible digital formats for purchase? *Features of fully accessible digital formats may include:*
  - a. *All text is digital and can be read with text-to-speech, modified with regard to font size and navigated by unit, chapter, section and page number (or other appropriate segments)*
  - b. *Images include alternate text and long descriptions when appropriate*
  - c. *Math equations are provided as images with alternative text or in the content file using Math ML*
  - d. *Content reading order, levels and headings are determined by publisher tagging.*
2. Do these digital formats include all of the images that appear in the textbooks?
3. Which digital formats are available for purchase (e.g. HTML, tagged PDF, DAISY – Digital Talking Book)?
4. How are the digital formats available and delivered (CD, download, Web access)?
5. Do the accessible formats include additional learner supports? *Learner supports may include:*
  - a. *Table of contents with links to appropriate location with the body of the text*
  - b. *Vocabulary supports with links to a glossary*
  - c. *Comprehension supports such as prompts and scaffolds for applying reading strategies*
  - d. *Optional highlighting of critical features such as big ideas within the content*
  - e. *Opportunities to interact with the content*
  - f. *Embedded prompts, hints and models to support responding by learners*
6. For digital text and digital audio formats, what hardware or software readers/players do you recommend for accessing the instructional content?
7. Are the features of the recommended readers/players accessible?
8. If the instructional materials are not available in accessible digital formats, how do LEAs obtain permission from your company to develop alternate formats of the materials for their students with disabilities?

## Appendix E: Management of AIM

It is recommended that the LEA chief administrator designate a staff person or persons to request, receive, distribute, and track the usage of copyrighted accessible instructional materials for students who need AIM. Larger school systems may elect to designate multiple staff members to carry out this role. If more than one staff member is designated, the superintendent or executive director should consider appointing an AIM coordinator for the LEA. Suggested personnel for this role are: curriculum coordinator, school technology coordinator, library media specialist, principal/assistant principal, special education director, special education teacher, special education supervisor, assistive technology consultant, and teacher of the visually impaired.

Responsibilities of LEA staff who administer AIM include:

- Assist IEP and 504 teams to identify and request alternate formats of core instructional materials for students who need them.
- Encourage curriculum coordinators to consider AIM when making core instructional materials acquisitions.
- Receive and document copyrighted accessible instructional materials from publishers, authorized entities, the PaTTAN AIM Center, and other sources.
- Deliver AIM to teachers of qualified student users in a timely manner.
- Document the delivery of the materials and record the storage, return, or destruction of AIM after use or at the end of the school year.
- Assure that requirements for AIM are documented in the students' IEP and 504 plans.
- Support copyright compliance by verifying and maintaining proof of student eligibility for AIM and assure that copyrighted materials are accessed only by qualified users.

## Appendix F: Questions to Ask When Determining a Student's Needs for AIM

When determining the need for AIM, IEP teams can gather data from a student's evaluation information and present levels of academic achievement and functional performance and trials with specialized formats of instructional materials. The team can also collect information about the student's levels of engagement, independence, and fatigue.

IEP team members can probe for additional information by asking specific questions about the student and the learning environments, required tasks, and tools needed to complete the tasks:

1. What are the skills, abilities, and needs of the student?
2. What are the customary environments in which the student learns?
3. What are the tasks the student needs to be able to do to reach expectations and make progress?
4. What are the tools the student needs to do the tasks in the environments in order to meet expectations for both current and future needs?

As part of this inquiry, the team can gather information about the student's access to curricular materials, assessment data, barriers, and needed supports for each subject/content area. Information collected and analyzed by the team will guide decisions when determining a student's need for AIM.

### *Access to curricular materials*

1. Is the core instructional material (e.g., textbook, workbook, other printed curricular material) currently provided to all students or to this student only?
2. Is the material in alternate format?
3. What does the student need to do to access the core instructional material that he or she cannot currently do?

### *Assessment data*

4. Does the student read the material independently?
5. Does the student read the material with adequate comprehension?
6. Does the student read the material at an adequate rate?
7. What assessment data is available regarding the student's reading efficiency and comprehension using typical and alternate media?

### *Barriers*

8. What are the barriers to determining or providing AIM?
9. What strategies or materials have been tried to address these barriers?

### *Supports*

10. What supports are required (e.g., adult or peer reading text to student, extra time)?

## Appendix G: Locating and Obtaining AIM for Students

### Questions to ask before determining sources of AIM for a student

There are many sources of accessible instructional materials. It is important to address the following questions first when acquiring AIM for a student.

1. Is the material:
  - Under copyright? (such as a textbook or contemporary novel)
  - In the public domain? (works not protected by copyright and which may be freely used, including classic works published prior to 1928)
  - Teacher-created? (such as handouts in print format)
2. What specialized format(s) is required? (braille, digital text, audio, or enlarged print)
3. Does the student have an IEP or a 504 Accommodation Plan?
4. Does the student qualify as “blind or other persons with print disabilities”?

With answers to these questions, the IEP team can determine the appropriate acquisition system and take steps to locate and acquire or create AIM.

### Steps for acquiring AIM for a student

**For a student with an IEP who needs a specialized format(s) of instructional materials and qualifies under the Copyright Act as Amended** (i.e., Student has a print disability, which is certified by competent authority, and needs specially designed instruction), the LEA can obtain AIM by:

1. Purchasing the accessible instructional material directly from the book publisher, if available
2. Searching on-line public domain sources (such as [Project Gutenberg](#)) for out-of-copyright materials
3. Searching authorized entities, such as [Bookshare](#), [Recording for Blind and Dyslexic](#), American Printing House for the Blind [APH Louis Database](#)
4. Searching other on-line providers of copyrighted materials, such as [Accessible Book Collection](#) and [Audible.com](#)
5. Searching the [NIMAC](#) and making a request to the [PaTTAN AIM Center](#) (NIMAC books are available only to students who have IEPs and qualify as having a print disability under the Copyright Act as Amended.)
6. Producing AIM locally by scanning and converting print materials into the necessary specialized formats

**For a student with an IEP who needs a specialized format(s) of instructional materials and does not qualify under the Copyright Act as Amended** (i.e., Student does not have certification of a print disability by competent authority, and needs specially designed instruction), the LEA can obtain AIM by:

1. Purchasing the accessible instructional material directly from the book publisher, if available
2. Searching on-line public domain sources (such as [Project Gutenberg](#)) for out-of-copyright materials
3. Producing AIM locally by scanning and converting print materials into the necessary specialized formats

**For a student with a Section 504 Plan who needs a specialized format(s) of instructional materials and qualifies under the Copyright Act as Amended** (i.e., Student has a print disability, which is certified by competent authority, and does not need specially designed instruction), the LEA can obtain AIM by:

1. Purchasing the accessible instructional material directly from the book publisher, if available
2. Searching on-line public domain sources (such as [Project Gutenberg](#)) for out-of-copyright materials
3. Searching authorized entities, such as [Bookshare](#), [Recording for Blind and Dyslexic](#), American Printing House for the Blind [APH Louis Database](#)
4. Searching other on-line providers of copyrighted materials, such as [Accessible Book Collection](#) and [Audible.com](#)
5. Making a request to the [PaTTAN AIM Center](#). (Non-NIMAS files only; NIMAC books are not available to students who have 504 Plans)
6. Producing AIM locally by scanning and converting print materials into the necessary specialized formats

**For a student with a 504 Plan who needs a specialized format(s) of instructional materials and does not qualify under the Copyright Act as Amended** (i.e., Student does not have certification of a print disability by competent authority and does not need specially designed instruction), the LEA can obtain AIM by:

1. Purchasing the accessible instructional material directly from the book publisher, if available
2. Searching on-line public domain sources (such as [Project Gutenberg](#)) for out-of-copyright materials
3. Producing AIM locally by scanning and converting print materials into the necessary specialized formats

## Commercial and Non-Profit Sources of AIM

### *Book Publishers*

Copyrighted textbooks and other core instructional materials can be acquired from various providers of curriculum materials. If a publisher has a specialized format of a copyrighted material available for sale, the school district can purchase it and provide it for use to any student.

### *Public Domain Materials*

A work in the public domain is not protected by copyright and may be freely copied, used, and redistributed. Schools can acquire materials in the public domain at numerous online libraries and collections. Public domain sites, such as Project Gutenberg ([www.gutenberg.org](http://www.gutenberg.org)) generally offer works in digital text and audio formats.

### *Authorized Entities, Federally Funded Accessible Media Producers*

If a specialized format of a copyrighted material is not available for direct purchase from the publisher or other source, the material may be available from a nonprofit organization or governmental agency that converts materials into specialized formats for the use of people with print disabilities. The Copyright Act as Amended allows authorized entities to reproduce and distribute certain copyrighted works in formats that are accessible to individuals who are blind or otherwise have difficulty making conventional use of print materials. These authorized entities, also known as accessible media producers (AMPs), include:

*American Printing House for the Blind*, APH ([www.aph.org](http://www.aph.org)) maintains the Louis Database of Accessible Materials, which contains information on books in braille, enlarged print, human-narrated audio and digital text (CD) formats. For students who are blind or visually impaired, schools should contact the PaTTAN AIM Center ([www.pattan.net](http://www.pattan.net)) for accessible books and materials that are available at Louis. APH also maintains a list of publisher contacts for text conversions of their books. The URL is: <http://www.aph.org/louis/braillepub.html>.

*Bookshare* ([www.bookshare.org](http://www.bookshare.org)) is an online library that provides accessible books and periodicals to individuals with print disabilities. Books are available in two specialized formats: Digital Accessible Information SYstem (DAISY) text and Braille Ready Format (.brf). It is recommended that local education agencies register with Bookshare for organizational membership accounts.

*Recording for the Blind and Dyslexic*, RFB&D ([www.rfbd.org](http://www.rfbd.org)) is an accessible audiobook library for students with disabilities. Books are available in DAISY Digital Talking Book format and Windows Media Audio (WMA-DRM) format. It is suggested that local education agencies register with RFB&D for institutional membership accounts.

### ***Other providers of copyrighted materials***

There are other providers of copyrighted accessible instructional materials, including the Accessible Book Collection ([www.accessiblebookcollection.org](http://www.accessiblebookcollection.org)) and Audible.com ([www.audible.com](http://www.audible.com)). These sources offer membership plans to individuals with qualifying disabilities.

### ***National Instructional Material Access Center (NIMAC)***

Created under IDEA 2004, the NIMAC (<http://nimac.us>) was mandated to establish a national repository for publishers' electronic files of textbooks and core related instructional materials in NIMAS conformant files. NIMAS files are not ready for student use, but must be downloaded from the NIMAC and converted into a specialized format (braille, enlarged print, digital text, or audio). The repository is freely searchable by anyone, but only designated state authorized users can download files. The PaTTAN AIM Center is authorized to download and assign NIMAS files from the NIMAC to accessible media producers (AMPs) for conversion into specialized formats for students with qualifying print disabilities. Only students with print disabilities who meet the requirements of copyright exemption, as certified by competent authority, and need specially designed instruction (i.e., students with IEPs) are eligible to receive specialized formats rendered from NIMAS files. Local education agencies can contact the PaTTAN AIM Center to request materials from the NIMAC for qualified students. LEAs that have memberships with Bookshare or RFB&D can obtain NIMAC books direct from these organizations. Pennsylvania has designated Bookshare and RFB&D as NIMAC authorized users.

### ***Pennsylvania Training and Technical Assistance (PaTTAN) AIM Center***

The [PaTTAN AIM Center](#) assists Pennsylvania LEAs in obtaining accessible instructional materials for students with qualifying print disabilities, including students who are blind, visually impaired, have physical disabilities, or have reading disabilities as a result of organic dysfunction. LEAs can contact the AIM Center for braille and enlarged print books and to request NIMAS files for conversion to other digital file types. The PaTTAN AIM Center is authorized to download and assign NIMAS files from the NIMAC to accessible media producers for conversion into specialized formats for students with qualifying print disabilities. For more information, see [Appendix H: PaTTAN AIM Center Support and Services](#).

For more information:

Resources: <http://aim.cast.org/node>

Sources of AIM, Generalized Sources and Specialized Formats:  
<http://aim.cast.org/learn/practice/acquisitiondistribution>

Formats at-a-glance: <http://aim.cast.org/learn/accessiblemedia>

Sources of AIM: [Table 1: Determining Sources of Accessible Instructional Materials \(AIM\) for Students in Pennsylvania](#)

## **Appendix H: PaTTAN AIM Center Support and Services**

The PaTTAN AIM Center is a service through the Pennsylvania Training and Technical Assistance Network (PaTTAN) that supports the overall provision of AIM in Pennsylvania. Previously called PaTTAN Braille and Large Print Production Services, it serves as a central location for material production and technical support. The PaTTAN AIM Center produces and acquires AIM for all students with qualifying print disabilities, maintains registrations of students who are eligible to receive AIM (including students who qualify for NIMAC books), and collects data on effective practices in AIM production and utilization.

The PaTTAN AIM Center's responsibilities include:

### **Digital Rights Documentation**

The PaTTAN AIM Center maintains records of copyrighted accessible instructional materials requested by and delivered to LEAs by the AIM Center or by accessible media producers designated by the Center. The Center maintains a confidential registry of students who receive the materials, including students eligible for NIMAS files, and assurances from LEAs that the materials are used only with students with qualifying print disabilities. In addition, the PaTTAN AIM Center maintains LEA student eligibility and proof of disability assurances, as well as LEA assurances of copyright law compliance.

### **Production Services**

The PaTTAN AIM Center continues its traditional role of providing blind or visually impaired students in Pennsylvania with braille and enlarged materials through in-house production and management of contracted braille producers. The Center produces core instructional materials in braille, enlarged print and electronic text in a timely manner using high speed scanning and conversion facilities. Using its production capabilities, staff renders NIMAS files into appropriate specialized formats for student use.

### **Coordination with Authorized Entities**

The PaTTAN AIM Center coordinates with authorized entities to render and produce NIMAS files in the appropriate electronic formats. This includes communication with the American Printing House for the Blind, BookShare, Recording for the Blind and Dyslexic and any other national producers.

### **Coordination with Accessible Media Producers (AMPs)**

The PaTTAN AIM Center authorizes and registers AMPs to produce copyrighted materials in appropriate formats for eligible students in Pennsylvania.

### **Technical Assistance**

Through consultation and training, the PaTTAN AIM Center assists LEAs to develop the capacity to produce AIM in a timely manner at the local level, including the production of supplemental materials in appropriate formats.

For more information on digital rights documentation, production, ordering information, and technical assistance please consult the PaTTAN AIM website:

([www.pattan.net/supportingstudents/accessible\\_instructional\\_materials.aspx](http://www.pattan.net/supportingstudents/accessible_instructional_materials.aspx)) or contact the PaTTAN AIM Center: 1-800-360-7282, or [aimcenter@pattan.net](mailto:aimcenter@pattan.net).

**Table 1: Determining Sources of Accessible Instructional Materials (AIM) for Students in Pennsylvania**

<i>Student Eligibility Criteria, Specialized Formats, and Sources of AIM</i>				
<i>Eligibility Category</i>	Student has an IEP and qualifies under the Copyright Act as Amended	Student has an IEP and does not qualify under the Copyright Act as Amended	Student has a Section 504 Plan and qualifies under the Copyright Act as Amended	Student has a Section 504 Plan and does not qualify under the Copyright Act as Amended
<i>Eligibility Criteria</i>	Student has a print disability, certified by competent authority*: <ul style="list-style-type: none"> <li>• Blindness</li> <li>• Visual Impairment</li> <li>• Physical Disability</li> <li>• Reading Disability from organic dysfunction</li> </ul>	Student has a disability that requires the use of accessible instructional materials in order to access the general education curriculum and does not have certification of a print disability by competent authority*.	Student has a physical or mental impairment that substantially limits one or more major life activities, does not need specially designed instruction, and has a print disability that has been certified by competent authority*: <ul style="list-style-type: none"> <li>• Blindness</li> <li>• Visual Impairment</li> <li>• Physical Disability</li> <li>• Reading Disability from organic dysfunction</li> </ul>	Student has a physical or mental impairment that substantially limits one or more major life activities, does not need specially designed instruction, and does not have certification of a print disability by competent authority*.
<i>Specialized Formats</i>	Digital Text, Audio, Braille, and Enlarged Print	Digital Text, Audio, and Enlarged Print	Digital Text, Audio, Braille, and Enlarged Print	Digital Text, Audio, and Enlarged Print
<i>Sources of AIM</i>	<ul style="list-style-type: none"> <li>• Publishers</li> <li>• Public domain sources</li> <li>• Accessible Media Producers (e.g., Bookshare, RFB&amp;D, APH)</li> <li>• Other providers of copyrighted materials (e.g., Accessible Book Collection, Audible.com)</li> <li>• PaTTAN AIM Center</li> <li>• LEA/IU produced</li> </ul>	<ul style="list-style-type: none"> <li>• Publishers</li> <li>• Public domain sources</li> <li>• LEA/IU produced</li> </ul>	<ul style="list-style-type: none"> <li>• Publishers</li> <li>• Public domain sources</li> <li>• Accessible Media Producers (e.g., Bookshare, RFB&amp;D, APH)</li> <li>• Other providers of copyrighted materials (e.g., Accessible Book Collection, Audible.com)</li> <li>• PaTTAN AIM Center (non-NIMAS files)</li> <li>• LEA/IU produced</li> </ul>	<ul style="list-style-type: none"> <li>• Publishers</li> <li>• Public domain sources</li> <li>• LEA/IU produced</li> </ul>
<i>Contact</i>	For more information, contact the PaTTAN AIM Center at 1-800-360-7282 or <a href="mailto:aimcenter@pattan.net">aimcenter@pattan.net</a>			

\* According to the Library of Congress regulations (36 CFR §701.6(b)), only competent authority can certify students eligible to use copyright-protected materials produced in specialized formats (braille, audio, digital, or enlarged print). In the case of an individual who is blind, has a visual disability, or has physical limitations, certain school professionals are included. In the case of a reading disability from organic dysfunction, competent authority refers to doctors of medicine who may consult with colleagues in associated disciplines.

**Table 2: Sources of Accessible Instructional Materials (AIM) by Specialized Format**

Locating sources of accessible instructional materials depends on the specialized format needed. The following table lists some available options. Four general categories of specialized formats are included: B: Braille, EP: Enlarged Print, A: Audio Recording, and E: Electronic (digital). Braille includes hard-copy braille and tactile graphics; enlarged print includes hard-copy enlarged print; audio includes audiotape, DAISY-audio, Windows Media Audio (WMA), and MP3; and electronic includes DAISY-text, accessible PDF, MS Word, RTF, HTML, and braille-ready-format (.brf).

It is important to note that sources of AIM listed below may not offer every format within a specialized format category. For example, Bookshare offers copyrighted materials in electronic braille (.brf) and DAISY-text formats; it does not offer DAISY-audio or accessible PDF formats.

<b>Sources of AIM by Specialized Format:</b> B: Braille EP: Enlarged Print A: Audio Recording E: Electronic	Textbooks/ related core materials (copyrighted)	Trade books and literary works (copyrighted)	Study guides, workbooks, test preparation materials, and other supplementary materials (copyrighted)	Worksheets and classroom materials (teacher- produced)
Purchased from publisher/vendor	B, EP, A, E	B, EP, A, E	B, EP, A, E	
Bookshare	B, E	B, E	B, E	
RFB&D	A, E	A, E		
NLS		B, A		
Other on-line sites of copyrighted materials (Audible, Accessible Book Collection)		A: Audible.com		
		E: Accessible Book Collection		
Loaned from local/regional library system		EP, A		
PaTTAN AIM Center	B, EP, E	B, EP, E		
Produced by LEA (or assigned to AMP by LEA)	B, EP, A, E	B, EP, A, E	B, EP, A, E	B, EP, A, E