
INTRODUCTION

The National Instructional Materials Accessibility Standard (NIMAS), a provision in IDEA 2004, is designed to maximize the access students who are blind or have other print disabilities have to the general education curriculum. The NIMAS provisions require states to adopt this common standard because it facilitates the timely conversion of printed text into accessible formats. Each state and local school district must decide whether or not to coordinate with the national central repository, the National Instructional Materials Accessibility Center (NIMAC). However, deciding not to coordinate with the NIMAC does not relieve the state or local school district of its responsibility to provide instructional materials in accessible formats to qualified students in a timely manner. Timely manner is interpreted to mean: at the same time as their peers.

What are the benefits of using a common standard for print instructional materials?

IDEA 2004 mandated universal adoption of NIMAS because its flexibility:

1. Facilitates the development of a national database of instructional materials
2. Maximizes the availability and effectiveness of student-ready versions of instructional materials used in K-12 curricula
3. Improves content quality because publishers provide the digital files
4. Embeds easily into existing systems that serve students
5. Supports copyright indemnification for publishers and schools

What are the implications of NIMAS for schools?

IDEA has always required local school districts to provide instructional materials in accessible formats to any student with a disability who needs them. This continues to be true, even if a student is not eligible to receive NIMAS versions of printed textbooks. The NIMAS and NIMAC were developed to expedite the delivery of accessible formats of K-12 textbooks and related instructional materials to students.

The NIMAS requirements have several implications for professionals within the public schools.

1. It requires local school district personnel responsible for purchasing instructional materials to insure all new contracts with K-12 publishers contain language that requires the publishers to submit a NIMAS version of their instructional materials to the NIMAC. Sample contract language:

“By agreeing to deliver the materials marked with "NIMAS" on this contract or purchase order, the publisher agrees to prepare and submit, on or before (date) 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 immediately notify 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 IDEA 2004 for students with print disabilities.”

2. IEP teams will determine which students need specialized formats using an established process.

Training on the use of equipment required to access the alternate formats must be provided to teachers and students.

KEY CONCEPT

Effective August 19, 2006, school districts must ensure that all future contracts with publishers clearly state that the publishers agree to submit NIMAS files of elementary and secondary school textbooks and related core print instructional materials to the NIMAC. Authorized users (such as the ND Vision Services/SB) download files or assign them to accessible media producers to convert into student-ready versions.

Can a school district cooperate with the NIMAC and contract directly with publishers as they have in the past?

Yes. Schools may use the NIMAC or other avenues to obtain alternate formats, or a combination of the two. In keeping with existing practice, the school districts may meet NIMAS-related requirements by directly contracting with curriculum publishers to purchase accessible, student-ready versions. Because publishers are not mandated to submit files to the NIMAC, state and local education agencies must include language in the contracts (or other agreements) stipulating that instructional materials ordered directly from publishers will be delivered at the same time as print textbooks are received for other students.

Who determines a student to be NIMAS eligible?

A competent authority must determine a student's eligibility for NIMAS. Competent authorities to determine blindness, visual disability, or physical limitations include:

- Doctors of medicine
- Doctors of osteopathy
- Ophthalmologists and 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).

A competent authority for determining a reading disability due to organic dysfunction is defined as a doctor of medicine who may consult with colleagues in associated disciplines.

What process should IEP teams use to determine the student's need for an alternate format of printed instructional materials?

The IEP team must use the following steps to determine whether a student needs instructional materials in an alternate format:

1. Does the student have difficulty with print-based instructional materials in any content area?
 - a) If yes, what factors contribute to the difficulty (i.e., related to disability, dyslexia)
2. What alternate formats does the student need (Braille, large print, e-text, or audio)?

3. What additional instruction, AT, support services, and/or training will be needed by the student and others to use the materials effectively?

If the IEP team determines the student has a print disability that requires instructional materials be provided in a specialized format, the IEP should identify:

- The content area(s) in which the student has difficulty with print-based instructional materials, what factors contribute to this difficulty, and reference the student's eligibility to receive services under the Chaffee Amendment (vision impairment, Blindness, physical limitations or reading disability caused by organic dysfunction).
- The specific format(s) to be provided (Braille, audio, e-text, large print, etc.);
- The services and/or assistive technology the student needs to use the specialized format; and,
- The individual(s) responsible for providing the specialized format.

How can I obtain more information about the NIMAS and NIMAC?

- NDDPI Special Education website: www.dpi.state.nd.us/speced/index.shtm
- Office of Special Education Programs "Questions and Answers On the National Instructional Materials Accessibility Standard (NIMAS)", January 2007 www.idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CQaCorner%2C5%2C
- NIMAS Technical Assistance Center <http://nimas.cast.org>
- Official NIMAC website <http://www.nimac.us>

The National Instructional Materials Accessibility Standard (NIMAS)



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