

# OSEP Leadership Conference



Building the Legacy: IDEA 2004



August 28-30, 2006

Washington, D.C.

## *National Instructional Materials Accessibility Standard (NIMAS)*



U.S. Department of Education  
Office of Special Education Programs



# Introduction

---

- Topics for breakout sessions were selected by OSEP because each highlights critical implementation issues under the *IDEA* 2004 Statute and Regulations
- Presentation will track the Topic Brief (TB page-paragraph)

# Key Issue

---

**...Timely access to appropriate and accessible instructional materials is inherent in a public agency's obligation under *IDEA* to ensure that FAPE is available to all children with disabilities to enable them to participate in the general curriculum consistent with their IEPs**

# Need for *NIMAS*

---

- Students who need instructional materials in “specialized formats” may not get them on time
- Students also may not receive instructional materials in accessible formats of consistent quality (currently quality is variable)
- Many file types are produced by publishers to meet SEA and LEA specifications, contributing to lengthy production time and costs
- A fragmented system with a wide range of conversion houses converts diverse file types to specialized formats

# Background

---

- 2002** – National File Format (NFF) Technical Panel established
- 2003** – NFF Technical Panel Report defined NIMAS
- 2004** – NIMAS announced as voluntary standard
- 2004** – IDEA named NIMAS mandatory standard
- 2005** – NIMAC established by 12/2005
- 2006** – NIMAS published as final rule 7/19/2006
- 2006** – NIMAC operational by 12/2006

# Key Definitions

(TB 1-1)

**NIMAS** National Instructional Materials Accessibility Standard

**NIMAC** National Instructional Materials Access Center

**Print  
Instructional  
Materials**

Printed textbooks and related printed core materials... primarily for elementary and secondary school instruction... and required by SEA or LEA... for use by students in the classroom

# Key Definitions

(TB 1-1)

## **Specialized Formats**

Braille, audio, digital text, and large print

## **Blind or other persons with print disabilities**

Children served under this Act and who may qualify...to receive books and other publications produced in specialized formats

# Related Definitions

---

**Coordinating Agencies**

SEAs and LEAs that coordinate with NIMAC

**Authorized Users**

Defined by NIMAC as those who have access to NIMAC database and NIMAS files



# Public Comment

---

- Most comments were technical. They were addressed in the Analysis of Comments and Changes section published July 19, 2006 in the Federal Register
- Change: The *NIMAS* Development and Technical Assistance Centers' Technical Group submitted technical changes that were accepted

# Public Comment

---

Many commenters recommended continual maintenance and improvement of the NIMAS so that it remains current with technological advances

# Public Comment

---

- Comments about implementation of *NIMAS* or NIMAC were addressed in the Part B Final Regulations in the *Access to Instructional Materials* and *Purchase of Instructional Materials* sections
- Changes: Four changes were made regarding these provisions

# Revisions

(TB 2-2)

**34 CFR 300.172**, regarding access to instructional materials, has been revised:

- to make clear that States must adopt the *NIMAS*, published on July 19, 2006 and is also included as Appendix C to these final regulations
- to clarify that a State is required to establish a State definition of “timely manner,” —regardless of whether the State does or does not coordinate with the NIMAC

# Revisions (cont.)

(TB 3-3)

- to meet its responsibility to ensure provision of accessible materials in a timely manner, the SEA must ensure that all public agencies take all reasonable steps to provide those materials at the same time as other children receive instructional materials

# Key Issue

(TB 4-6)

- Because the NIMAC is not required to serve all children with disabilities who need accessible materials,...LEAs still are responsible for ensuring that children with disabilities who need instructional materials in accessible formats, but who do not fall within the definition of children who are eligible to receive materials produced from NIMAS files obtained through the NIMAC, receive them in a timely manner

# Web Resources

---

## NIMAS Development and TA Centers

- <http://nimas.cast.org>
  - State Directors of Special Education NIMAS Implementation Checklist
  - Frequently Asked Questions (Q&A)
  - Contact [chitchcock@cast.org](mailto:chitchcock@cast.org) for NIMAS training

# Web Resources

---

- ed.gov web site
  - <http://www.ed.gov/policy/speced/guid/idea/monitor/nimac.html>
    - States that are coordinating with NIMAC
- NIMAC web site
  - <http://nimac.us>
    - Frequently Asked Questions (Q&A)



# Regional Implementation Planning Meetings

---

What implementation issues and challenges on this topic should be addressed at the IDEA Regional Implementation Planning Meetings?

- January 30 and 31, 2007
  - Washington, D.C.
- February 12 and 13, 2007
  - Los Angeles, California
- February 15 and 16, 2007
  - Kansas City, Missouri

# For More Information

---

Please go to

<http://sites.ed.gov/idea>

for resources on *IDEA*  
2004 Final Regulations



U.S. Department of Education  
Office of Special Education Programs



# NIMAS

---

## Implementation Challenges?