



# UNIVERSITY OF WYOMING

What You Need to Know about the  
National Instructional Materials Accessibility Standard  
(NIMAS)  
and Accessible Instructional Materials (AIM)

## A GUIDE FOR DECISION-MAKING TEAMS

### WHAT ARE ACCESSIBLE INSTRUCTIONAL MATERIALS (AIM)?

In general, accessible instructional materials (AIM) refers to fully accessible, specialized formats such as audio, digital, Braille, and large print. Fully accessible means all text is digital and can be: read with text-to-speech software; modified with regard to font size; and navigated by unit, chapter, section, page number, etc. Other fully accessible considerations include:

- ▶ Images have alternative text and long descriptions when appropriate.
- ▶ Math equations are provided as images with text and/or audio descriptions.
- ▶ Sequence of content, levels, and headings are appropriately formatted.

# WHAT IS A PRINT DISABILITY?

A print disability is generally considered to be a condition related to blindness, visual impairment, specific learning disability, or other physical condition in which the student requires an alternative or specialized format (i.e., audio, digital, Braille, and large print) in order to access the content. Not all students with disabilities will need or qualify for AIM. There are very important distinctions that affect copyright permission and access to AIM files.

## LEGAL OBLIGATIONS

Several federal mandates require districts to provide accessible instructional materials to eligible students with disabilities, including:

### INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) OF 2004

- ▶ Ensures students with disabilities have access to the general education curriculum and receive a free, appropriate public education (FAPE) in the least restrictive environment (LRE).
- ▶ Ensures students with disabilities who need instructional materials in accessible formats receive those materials in a timely manner, regardless of eligibility under the Copyright Act of 1931 as amended.
- ▶ Adopts the National Instructional Materials Accessibility Standard (NIMAS).

## SECTION 504 OF THE REHABILITATION ACT

- ▶ Protects the civil rights of people with disabilities in any program or activity receiving federal funds.

## AMERICANS WITH DISABILITIES ACT (ADA)

- ▶ Protects civil rights and serves as a national mandate to fully integrate individuals with disabilities into the mainstream.

## ESTABLISHING NEED

If the student is able to gain meaning from conventional print-based materials for educational participation and achievement, he or she does not need a specialized format.

If not, the decision-making team should review the student's evaluation information, medical statements, present level of academic achievement, and functional performance to determine whether the student has a print disability and, if so, what the cause may be. Considerations should include:

- ▶ Does the student have difficulty seeing the material (blindness or low vision)?
- ▶ Does the student have difficulty physically manipulating the material (orthopedic impairment)?
- ▶ Does the student have the physical abilities/stamina necessary to use conventional print-based materials?
- ▶ Does the student have difficulty decoding text/recognizing words?
- ▶ Does the student have difficulty with fluency in the language of the text?

- ▶ What is the student's reading comprehension level versus listening comprehension level?
- ▶ Is the student a proficient English language speaker?

## ENVIRONMENT AND TASKS

In order to ensure that the student is receiving FAPE, the educational team should consider the environments in which the student interacts. Environments include:

- ▶ Core academic classes
- ▶ Community-based programs
- ▶ Home

Consider the tasks the student is required to do and determine the appropriate format to accomplish the task.

## DECISION-MAKING TEAM CONSIDERATIONS

Consideration of AIM requires broad perspectives and expertise. Students should be involved in all decisions when possible. Additionally, assistive technology specialists and parents are essential to this process. The WIND Assistive Technology Resources (WATR) program fully supports the trial use of various support technologies, and is available for training in the use and integration of technology across the student's learning environments. To search for resources that may be borrowed from the AT Loan Library for a six-week period, individuals may access the following website and establish a personal account at no cost: [www.wy.at4all.com](http://www.wy.at4all.com).

## THE DECISION-MAKING TEAM SHOULD CONSIDER THE FOLLOWING:

Does the student require accessible, alternate format versions of printed textbooks and printed core materials that are written and published primarily for use in elementary and secondary school instruction and are required for use by students in the classroom?

## THE DECISION-MAKING TEAM SHOULD SPECIFY THE FOLLOWING:

- ▶ The specific format(s) to be provided (audio, digital, Braille, and large print, etc.).
- ▶ The services and/or assistive technology the student needs to use the specialized format.
- ▶ The individual or individuals responsible for providing the specialized format.
- ▶ Whether or not the format is required to be used in the student's home or in another setting in order for the student to receive a free appropriate public education.

## THE NEED SHOULD BE DOCUMENTED IN THE STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM (IEP), OR 504 PLAN.

Additional supports will likely be necessary for the implementation of accessible instructional materials, including assistive technology and appropriate training for staff, student, and family. IEP teams must consider assistive technology for all students with an IEP.



## COPYRIGHT

Not all students will be eligible under the *Copyright Act of 1931* as amended. This does not, however, negate the school's obligation to provide the materials.

Documentation is essential to ensure compliance with copyright laws. Districts are encouraged to develop policies and/or procedures to track distribution and use of accessible instructional materials. Specialized formats are intended for eligible students. It is illegal to distribute these formats to students who are not eligible without publisher permission, regardless of whether they would be beneficial. Additional information regarding copyright law can be obtained at [www.loc.gov/nls/eligible.html](http://www.loc.gov/nls/eligible.html).

## ACQUISITION OPTIONS

Once it has been determined that a student requires a specialized format, the team must determine where and how to acquire the materials. Not all materials will be available in the specialized format required. In such cases, districts may need assistance in obtaining or creating the materials. Districts are encouraged to seek assistance from the NIMAS Clearinghouse for Accessible Media and Materials, at the Wyoming Institute for Disabilities (WIND) located on the University of Wyoming campus. The Wyoming Department of Education contracts with the Clearinghouse to assist in securing accessible versions of core instructional materials. Other resources include:

- ▶ Publishers
- ▶ Bookshare.org
- ▶ Recording for the Blind & Dyslexic (RFB&D)
- ▶ Other commercial options

## INCREASING AVAILABILITY OF AIM

If publishers produce digital materials that are accessible and can be purchased for use by any student, districts are encouraged to purchase them because such action:

- ▶ Aligns with existing educational initiatives, including Differentiated Instruction, and Universal Design for Learning (UDL).
- ▶ Allows teachers to spend their time on instruction versus creating accessible materials.



A FORCE FIGHTING FOR PEOPLE WITH DISABILITIES



## ADDITIONAL RESOURCES AND CONTACT INFORMATION

### **NIMAS Clearinghouse for Accessible Media and Materials**

Wyoming Institute for Disabilities  
1000 E University Ave, Dept 4298  
Laramie, WY 82071  
Phone (307) 766-5770  
Fax (307) 766-2763  
Email: [nimas@uwyo.edu](mailto:nimas@uwyo.edu)  
Web site: [www.uwyo.edu/wind/nimas](http://www.uwyo.edu/wind/nimas)

### **WIND Assistive Technology Resources (WATR)**

Wyoming Institute for Disabilities  
1000 E University Ave, Dept 4298  
Laramie, WY 82071  
Phone: (307) 766-6187  
Email: [watr@uwyo.edu](mailto:watr@uwyo.edu)  
Web site: [www.uwyo.edu/wind/watr](http://www.uwyo.edu/wind/watr)

### **NIMAS Technical Assistance** (national level):

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

If you have any questions, please contact:  
Kathy McWhorter, NIMAS Coordinator  
(307) 766-5770 or [kmcwhort@uwyo.edu](mailto:kmcwhort@uwyo.edu)