

## Suggested Language for Publisher Textbook Contracts

### Local Education Agency Role Critical to Provision of Specialized Formats

Local Education Agencies (LEAs) should be aware of the need to ensure that the NIMAC is adequately populated with materials that will need to be converted for students with print disabilities. The role of LEAs in this is very important.

- In OPEN TERRITORY STATES, LEAs are reminded to include NIMAS language from the NIMAS FAQ or SEA-recommended NIMAS language in or with LEA purchase orders.
- In TEXTBOOK ADOPTION STATES, it is important that LEAs' state-level adoption agreements (contracts) include the requirement that NIMAS filesets be prepared and deposited in the NIMAC. Please be aware that it is not unusual for new textbooks to be under development when adoption specifications are posted and the NIMAC cannot accept versions that are not final. It may be unreasonable to require that NIMAS filesets be deposited in the NIMAC prior to approval of a textbook and related printed core materials under adoption. Many adoption states also allow OFF-LIST PURCHASES and LEAs should be encouraged to include the NIMAS language from the NIMAS FAQ or SEA-recommended NIMAS language in or with LEA purchase orders.

Following is the language that has been suggested in the NIMAS FAQ but LEAs are free to modify it to suit their needs. It is not recommended to require additional formats of publishers since a NIMAS fileset can be used to provide conversions and student-ready versions.

The following suggested language is from <http://nimas.cast.org/about/faq/index.html>:

**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 \_\_\_/\_\_\_/\_\_\_\_, a NIMAS fileset 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 filesets of purchased products to the NIMAC. Files will be used for the production of alternate formats as permitted under the law for students with print disabilities.**

This is page \_\_\_ of \_\_\_ of this contract or purchase order.