

**Wisconsin Center for the Blind and
Visually Impaired (WCBVI)
Accessible Educational Materials (AEM):
What Should LEAs Know?**

**State Superintendent's Special Education and
Pupil Services Leadership Conference**

October 2024



WISCONSIN DEPARTMENT OF
Public Instruction
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Presenter



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Learning Objectives

1. Understand NIMAS, NIMAC and LEA FAPE obligations for students who are blind, visually impaired and deafblind
2. Understand contract language, for NIMAC, utilized for curriculum procurement
3. Understand the American Printing House for the Blind (APH) Federal Quota Program for students who are blind and visually impaired; including new eligibility requirements

Educational Equity

Educational equity means that **every** student has access to the resources and educational rigor they need at the right moment in their education, across race, gender, ethnicity, language, ability, sexual orientation, family background, and/or family income.

<https://dpi.wi.gov/rti/equity>

Learning Objectives #1 and #2

- Understand NIMAS, NIMAC and LEA FAPE obligations for students who are blind, visually impaired and deafblind
- Understand contract language, for NIMAC, utilized for curriculum procurement

What is NIMAS and what is the NIMAC

What is the NIMAC

How does the NIMAC work?

NIMAC Implemented in Wisconsin

- Wisconsin NIMAC Coordinator

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AEM and Support in Wisconsin

- [What is AEM? DPI 20.02 Bulletin](#)
[CESA 2 WI AEM Center](#)
[WCBVI Outreach AEM Center](#)

Wisconsin AEM Center

Services Provided:

- Qualified professionals can submit an AEM request through the WI AEM Center's website
- Help video available to assist individuals with the process.
- Districts can receive phone and email support for questions around AEM
- The website houses a list of developed resources around AEM

WCBVI AEM Center

Services Provided:

- Loaning assistive technology devices and capital equipment such as Light Touch Braille, SMART Braille, Electric Braille, and Unimanual Braille
- Obtaining K-12 textbooks and educational materials for qualifying children and students through funds provided by the **American Printing House (APH) Federal Quota Program**
- Textbook research and vendor referrals
- Central repository of braille and large print textbooks and specialized educational aids for loan

What is an Accessible Educational Material?

[The National AEM Center](#) defines Accessible Educational Materials (AEM) as:

“Print- and technology-based educational materials, including printed and electronic textbooks and related core materials that are **designed or enhanced in a way that makes them usable across the widest range of learner variability, regardless of format.**”

Who Should Receive AEM?

An individual who, regardless of any **other** disability—

- A. is **blind**;
- B. has a **visual impairment** or **perceptual** or **reading disability** that cannot be improved to give visual function substantially equivalent to that of a person, who has no such impairment or disability and so is unable to read printed works to substantially the same degree as a person without an impairment or disability; or
- C. is otherwise unable, through **physical disability**, to hold or manipulate a book or to focus or move the eyes to the extent that would be normally acceptable for reading.

[DPI Update Bulletin 20.02](#)

What is the LEA Responsibility

- Develop procedures to ensure the timely delivery of accessible formats to students who meet the criteria for eligible person, including the following:
 - Implement approaches for downloading NIMAS filesets from the NIMAC (who will be allowed to do so, where, for what purpose, access by contractors, etc.)
 - WCBVI has 2 Authorized Users who are able to download filesets from the NIMAC, which releases them to your contractor/vendor

What is the LEA Responsibility

- Identify approaches to developing and delivering accessible formats to students who meet the criteria for AEM
 - i. WCBVI Textbook research requests are almost always submitted by Teachers of the Blind and Visually Impaired (TVIs) in your districts, please connect with them
 1. TVIs submit the LEA and district business office director's names and emails for correspondence

What is the LEA Responsibility

- Consider use of national authorized entities such as [American Printing House for the Blind \(APH\) and Bookshare](#). Explore various membership arrangements such as student, school, district, county, and state-level agreements with such entities
 - i. APH Federal Quota funds for braille or large print
 - ii. Early requests only for students who are formally registered

What is the LEA Responsibility

- Consider use of state-level Instructional Material/Instructional Resource/Accessible Education Material Centers (IMC/IRC/AEM) for braille, large print, and tactile graphics resource support
 - i. [CESA 2 AEM](#) provides research and help ticket support
 - ii. [WCBVI AEM Center](#) provides research and vendor referrals
- Consider contracts with conversion houses or [Accessible Media Producers \(AMPs\)](#) to develop accessible formats for students
 - i. WCBVI textbook referrals will typically provide an AMP

What is the LEA Responsibility

- Consider purchase of accessible formats directly from K-12 publishers if and when available
 - i. Born Accessible: Design materials accessible for all
- Define policies regarding the purchase, use, and protection of print instructional materials when accessible formats are provided to students in electronic formats
 - i. Assess AEM needs in digital learning plans
 - ii. Include TVIs on these digital curricular teams

What is the LEA Responsibility

- The U.S. Department of Education has clarified that the definition of print instructional materials includes digital instructional materials. See [definitions](#) for more information.
 - i. [2020 Notice of Interpretation \(NOI\)](#)
 - ii. Per the NOI, “digital” does not necessarily mean “accessible”
 - iii. Students must receive high-quality digital materials in the format they require at the same time sighted peers receive them

Digital Does Not Mean Accessible

- Text-based digital materials are not consistently designed for use with assistive technology (AT)
 - Some learners use AT to read and navigate text and images in digital materials
 - Screen readers, text to speech, and switches are a few examples of AT devices and software

What is the LEA Responsibility

- Districts in Wisconsin “opted in” to the NIMAC
- LEAs in “opt in” states shall include [NIMAS language in publisher agreements](#)
 - i. A [June 2012 letter from the Office of Special Education and Rehabilitative Services \(OSERS\)](#) specifically encourages SEAs and LEAs to “ask publishers to use the MathML3 Structure Guidelines recommended by the NIMAS
 1. MathML facilitates the creation of accessible math and science content, especially for blind students
 2. Visit [MathML in NIMAS](#) to learn more

What is the LEA Responsibility

- Districts may contact [NIMAC](mailto:nimac@aph.org) nimac@aph.org regarding:
 - i. Access by national authorized entities
 - ii. Access by LEAs
 - iii. Required contract language
 - iv. Required Limitation-of-Use Agreement (LUA)
- Encourage documentation of student-preferred accessible formats within each Individualized Education Program (IEP) as appropriate

Provision of AEM Required to Receive Federal Special Education Funding

- All Local Educational Agencies (LEA), e.g. school districts, must sign an assurance document to receive funding through the Individuals with Disabilities Education Act (IDEA)
- This assurance states the LEA will provide instructional materials in a timely manner to students with disabilities as required in IDEA [34 CFR § 300.210]

Curriculum Teams

- LEAs, Curriculum Directors, AT Specialists, TVIs
- Ensure procurement language for AEM with textbook publishers
- LEA requirement to submit NIMAS-conformant files of textbooks and related core instructional materials to the NIMAC, including [digital materials](#)
- [Sample Procurement Language from the NIMAC](#)

What is required after a student qualifies for AEM?

When a student qualifies for AEM under federal law, LEAs must provide:

- AEM in a timely manner (at the same time as provided to peers)
- AEM in accessible and usable format(s)
- Instruction for access and use by the learner
- Training for staff and families

Accessible Educational Materials (AEM) LEA FAPE Responsibility

- **FAPE for students who are blind and visually impaired**

AEM at the same time peers have access to the general education curriculum

[OSEP Dear Colleague Braille Letter June 19, 2013](#)

Acquiring AEM for Students who are Blind and Visually Impaired

School districts can acquire AEM through:

1. Non-profit Accessible Media Producers (AMPs) that operate in the U.S. under a copyright exemption and are able to make books available to individuals with print disabilities.
2. Directly from publishers
3. Through the National Instructional Materials Accessibility Center (NIMAC):
 - a. Contact the [WCBVI AEM Center](#) for assistance

AEM Searchable Database

[APH Louis Database of Accessible Materials](#)

Louis is a database of accessible educational materials from agencies and organizations across the U.S. It is designed to help educators and parents quickly locate the accessible materials students need, while reducing duplication of effort by sharing information from over 75 organizations in one place. The Louis search also allows users to search the NIMAC, Bookshare, and Learning Ally databases.

Check out the [Louis training video](#) for helpful information on searching the new website.

AEM Media Producers

[Bookshare](#)

A program supported by the U.S. Department of Education, Office of Special Education Programs (OSEP), providing alternative AEM options for qualifying students with with dyslexia, learning disabilities, visual impairments, physical disabilities, and other reading barriers.

[Join the Bookshare Community on Social Media Platforms](#)

[Learning Ally](#)

A national nonprofit, requiring membership, providing AEM support for students and adults with an eligible print disability.

[Join the Learning Ally Educator Community](#)

Wisconsin Talking Book and Braille Library

WTBBL

As part of a national network cooperating with the National Library Service for the Blind and Print Disabled (NLS), the Wisconsin Talking Book and Braille Library (WTBBL) provides audiobooks and Braille materials to Wisconsin residents who cannot read or use regular print materials as a result of temporary or permanent visual or physical limitations.

[Wisconsin Talking Book and Braille Library Online Public Access Catalog \(OPAC\)](#)

Learning Objective #3

Understand the American Printing House for the Blind (APH) Federal Quota Program for students who are blind and visually impaired; including new eligibility requirements

American Printing House for the Blind (APH) WCBVI AEM Center

- **American Printing House for the Blind (APH)**
March 3, 1879 Act to Promote the Education of the Blind 45th Congress
- **APH Ex Officio Trustees (EOTs)**
Dan Wenzel - WI School for the Blind (Quota Account #222)

Dawn Soto - Wisconsin Department of Public Instruction (Quota Accounts #223 private-home school & #224 statewide)

American Printing House for the Blind (APH) WCBVI AEM Center

Statewide 223 and 224 Accounts - Dawn Soto

- LEAs receive communication via email and through the DLS Newsletter every winter
- LEAs submit a designee to complete the APH Federal Quota Census
- Designees (TVIs) and LEAs receive secure data for current students on APH Federal Quota
- TVIs confirm current students, update information, and formally register any new students every January
- Parental permission required - kept on file in district

APH Criteria

- **1.** Meet the definition of blindness (MDB)—a central visual acuity of 20/200 or less (using a Snellen chart or an acuity determined in Snellen equivalents) in the better eye with the best correction or a peripheral field of vision no greater than 20 degrees,

OR

APH Criteria


- **Function at the definition of blindness (FDB)**—when visual function meets the definition of blindness as determined by an eye care specialist (ophthalmologist or optometrist) or a medical doctor such as a neurologist. Students in this category manifest unique visual characteristics often found in conditions referred to as neurological, cortical, or cerebral visual impairment (e.g., brain injury or dysfunction).

OR

APH Criteria

NEW! IF NEITHER are met, students may also be eligible because they **qualify under the Individuals with Disabilities Education Act (IDEA) definition of blindness: an impairment in vision, that, even with correction, adversely affects a child's educational performance 34 CFR §300.8(c)(13).***

APH Criteria

- **2. Be enrolled in a formally organized public or private, nonprofit educational program of less than college level** (educational programs include public, private, and parochial schools) **and have a written education plan.**
- 

APH Criteria

- School-aged students must be enrolled with the registering school or agency on the first Monday in January, or January 1, 2024
- Parent/Guardian Permission required for school-aged students aged 18 and under and any student over age 18 who has a legal guardian
- Students who are over 18 and their own guardians sign themselves
- The requirements for an eye report has been waived
- It is still the LEA responsibility to ensure students qualify under MDB, FDB, or IDEA
- It is still best practice to maintain an eye report on file in the district
- Educational reports, such as Functional Vision Assessments, may not be used to determine APH eligibility

Questions

Dawn Soto:

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