



ACCESSIBLE INSTRUCTIONAL MATERIALS FOR STUDENTS WITH DISABILITIES

What Are Accessible Instructional Materials?

Accessible instructional materials are specialized or alternative formats of textbooks and other instructional materials. Examples are Braille, audio, large print, and digital text. Some students with disabilities need accessible instructional materials to access the same curriculum as other students. If so, their school must provide accessible instructional materials at no cost.

Who Can Receive Accessible Instructional Materials?

Under the Individuals with Disabilities Education Act (IDEA), any student who receives special education services must receive accessible instructional materials when needed to make meaningful educational progress. This is part of the right to a Free Appropriate Public Education (FAPE). Accessible instructional materials must effectively provide the same information that other instructional materials provide.

Under Section 504 of the Rehabilitation Act of 1973, schools must provide instructional materials in alternative formats to a student with a disability if the student needs them to learn.

What Rules Apply for a Student with a Print Disability?

Students with print disabilities are a subset of students who receive special education services. A student with a print disability is a student who:

- Is blind or who has a visual impairment and cannot read standard printed material;
- Is unable to read or use standard printed material because of a physical limitation; or

- Has a reading disability resulting from organic dysfunction and of sufficient severity to prevent his or her reading printed material in a typical manner.

A competent authority must certify that the student has a print disability. Competent authorities include doctors of medicine; doctors of osteopathy; ophthalmologists; optometrists; registered nurses; therapists; and professional staff of hospitals, institutions, and public or welfare agencies (for example, social workers, case workers, counselors, rehabilitation teachers, and superintendents). Only doctors of medicine can certify a reading disability for purposes of documenting a print disability.

Accessible instructional materials for a student with a print disability must conform to the National Instructional Materials Accessibility Standard (NIMAS) under the IDEA.

Who Decides if Accessible Instructional Materials Are Needed?

For any student who receives special education services, the need for accessible instructional materials is determined by the student's Individual Educational Program (IEP) or Section 504 team, which includes the student's parents or guardians. A parent or guardian can request a team meeting to discuss the need for accessible instructional materials or an evaluation for the same. A team decision that a student needs accessible instructional materials must be documented in the IEP or Section 504 plan.

Various resource organizations provide accessible instructional materials. The decision whether a student with a disability needs accessible instructional materials cannot depend on his or her eligibility for any particular resource organization's services. For example, if a school usually gets materials from a resource organization that only provides services to students who are blind, the school cannot deny necessary accessible instructional materials to a student with a reading disability but must identify another resource organization that can provide the necessary materials, or the school must provide the materials.

What Types of Accessible Instructional Materials Are Available?

A wide range of options, including assistive technology devices, are available. Examples are screen reading software and devices, refreshable

Braille display software, Braille materials, increased font size, digital text, audio text, and books on tape. The IEP or Section 504 team should select the format of instructional materials that will enable the student to most effectively access all of the information contained in the printed material that other students are using. The format chosen by the team should be reflected in the student's IEP or Section 504 plan.

How Is the Need for Accessible Instructional Materials Documented?

The IEP or Section 504 team should modify the IEP or Section 504 plan to include the types of accessible instructional materials that are needed, why they are needed, the resource organization or other provider, and the staff person responsible to ensure that the materials are provided to the student. In the IEP, the need for assistive technology, including accessible instructional materials, must be included in Related Services and may also be included in Present Levels of Academic Achievement and Functional Performance, Measurable Annual Goals, and other sections. Any needed training or assistance for school staff members in understanding and teaching a student using accessible instructional materials should be listed in Supports for School Personnel. The IEP should also state whether the student needs the materials at home or in another setting. If the student needs the materials at home, the IEP should indicate whether the parent needs to receive training to properly assist the student. If the student qualifies as a student with a print disability, the IEP team should ensure that the print disability is documented by a competent authority.

Who Pays for Accessible Instructional Materials?

Under the IDEA, schools must provide students with disabilities with FAPE. Therefore, schools must obtain and pay for print disability certifications. Schools must also pay for accessible instructional materials needed for any student with a disability to receive FAPE. Section 504 also requires schools to provide accessible instructional materials at no cost to the student or family.

When Will a Student Receive Accessible Instructional Materials?

The school must provide the accessible instructional materials to the student with a disability at the same time that print versions of the materials are made available to other students. The cost of accessible instructional materials or limited funds does not justify the school's failure or delay in providing the needed materials.

What Can I Do if My Child Does Not Receive Accessible Instructional Materials in a Timely Manner?

If your child needs accessible instructional materials to learn and the school is not willing to provide them, you may want to request an IEP meeting. If you cannot resolve the issue through an IEP meeting, you can request mediation or a due process hearing through the Office for Dispute Resolution (ODR). If accessible instructional materials have been added to your child's IEP but the school is not following the IEP, you can file a Division of Compliance complaint. More information about these options can be found in Disability Rights Pennsylvania's other publications at: <http://www.disabilityrightspa.org/publications/education>.

If your child has a Section 504 plan and needs accessible instructional materials but the team will not add these accommodations to the Section 504 plan, or if the school is not following your child's Section 504 plan, you can: 1) apply for a conference with the school district, 2) apply for an impartial due process hearing with the Office for Dispute Resolution, or 3) file an administrative complaint with the Pennsylvania Bureau of Special Education or the federal Office for Civil Rights.

Contact Information

If you need more information or need help, please contact Disability Rights Pennsylvania at 800-692-7443 (voice) or 877-375-7139 (TDD). Our email address is: intake@disabilityrightspa.org.

The mission of Disability Rights Pennsylvania is to advance, protect, and advocate for the human, civil, and legal rights of Pennsylvanians with disabilities. Due to our limited resources, Disability Rights Pennsylvania

cannot provide individual services to every person with advocacy and legal issues. Disability Rights Pennsylvania prioritizes cases that have the potential to result in widespread, systemic changes to benefit persons with disabilities. While we cannot provide assistance to everyone, we do seek to provide every individual with information and referral options.

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PLEASE NOTE: For information in alternative formats or a language other than English, contact Disability Rights Pennsylvania at 800-6927443, Ext. 400, TDD: 877-375-7139 or intake@disabilityrightspa.org.