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.

Need Help? Contact Us

If you need more information or need help, please contact Disability Rights Pennsylvania (DRP) at 800-692-7443 (voice) or 877-375-7139 (TDD). The 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.

IMPORTANT: This publication is for general informational purposes only. This publication is not intended, nor should be construed, to create an attorney-client relationship between Disability Rights Pennsylvania and any person. Nothing in this publication should be considered to be legal advice.

PLEASE NOTE: For information in alternative formats or a language other than English, contact Disability Rights Pennsylvania at 800-692-7443, Ext. 400, TDD: 877-375-7139 or intake@disabilityrightspa.org