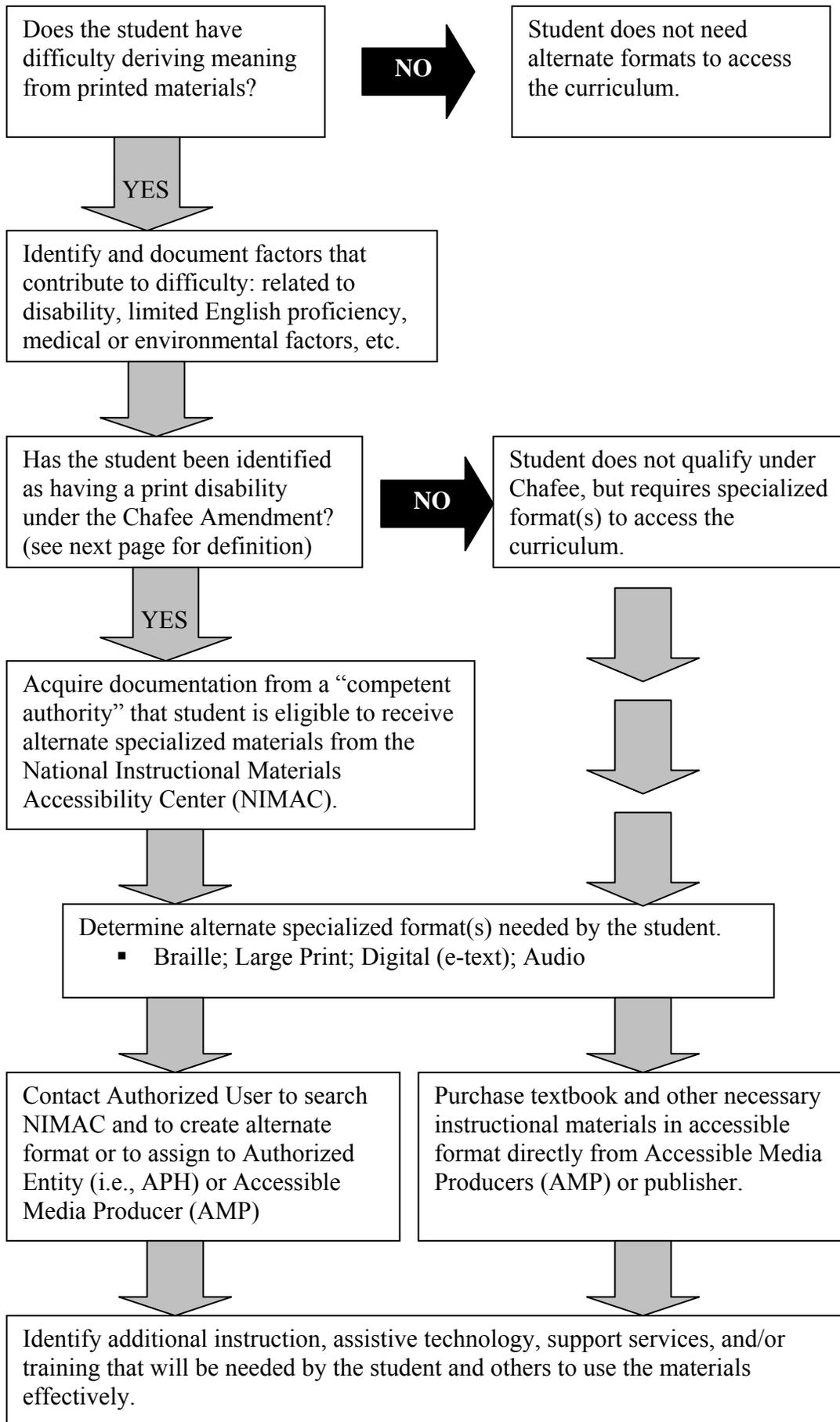


FLOWCHART FOR DETERMINATION AND ACQUISITION OF SPECIALIZED ACCESSIBLE INSTRUCTIONAL MATERIALS



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The Chafee Amendment and the NIMAS

The Chafee amendment is a “limitation to exclusive rights” amendment to the Copyright Act that stipulates that allows authorized entities such as American Printing House or Reading for the Blind and Dyslexic to reproduce or distribute copies of previously published non-dramatic literary works into specialized formats to be used exclusively by persons who are blind or who have other print disabilities.

1. Specialized formats referred to Braille, audio, or digital text.
2. IDEA 2004 expanded the definition of specialized formats initially developed in the Chafee Amendment to include Large Print formats.
3. School districts should keep on file documentation of students' eligibility to use NIMAS files. Proof of a student's disability needs to be certified by a qualified professional, as explained below.
4. The National Instructional Materials Accessibility Standard (NIMAS) takes into account publishers' copyright protection. Violating copyright law is a legitimate concern for schools, publishers, and the federal government. School districts are advised to maintain documentation that verifies a student to be eligible to receive specialized formats through the NIMAC or under the Chafee Amendment due to a print disability as determined by a competent authority.

Competent Authority

Library of Congress federal regulations defines competent authority in 36 CFR 701.6(b)(2)

1. In cases of blindness, visual disability, or physical disabilities a competent authority includes:
 - Doctors of medicine
 - Doctors of osteopathy
 - Ophthalmologists and optometrists
 - Registered nurses
 - Therapists
 - Professional staff of hospitals, institutions, and public or welfare agencies (e.g., social workers, case workers, counselors, rehabilitation teachers, and superintendents).
2. In the case of a reading disability from organic dysfunction, competent authority is defined as
 - Doctors of medicine who may consult with colleagues in associated disciplines.

Bookshare for Education (B4E)

Benetech was awarded OSEP funding for 5 years to develop and implement Bookshare for Education (B4E). As of October 1, 2007, Bookshare no longer charges a membership fee to students with print disabilities. School districts can sign up their students for free individual memberships to download books on their own. Students under the age of 18 will need permission from a parent or guardian. For more information on how to open individual memberships for students, go to <http://www.bookshare.org/web/SupportOrgSignUpInfo.html>. Bookshare's textbook library of digital talking books is growing and NIMAS filesets of textbook titles are now assigned to this national accessible media producer (AMP) on a daily basis. Authorized users may assign titles to Bookshare via the NIMAC. For more information about Bookshare and NIMAC, go to <http://www.bookshare.org/download/NIMAC-FAQ.doc>