



OFFICE OF PUBLIC INSTRUCTION

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Linda McCulloch
Superintendent

To: Authorized Representatives of IDEA Part B Projects

From: Marilyn Pearson
Acting Administrator
Division of Special Education

Re: National Instructional Materials Accessibility Standard (NIMAS)
Assurance Required Under the Individuals with Disabilities Education Act (IDEA)

Date: February 28, 2007

The authorized representative of each IDEA Part B/Preschool application must ensure that each district participating in the IDEA Part B/Preschool application completes and signs an Assurance Statement (Assurance Statement is included with this letter). The signed Assurance Statements must be returned to the Office of Public Instruction by March 30, 2007. Assurances should be mailed to:

Marlene Wallis, Program Officer
Office of Public Instruction
PO Box 202501
Helena, Montana 59620-2501

One of the topics addressed by IDEA is the National Instructional Materials Accessibility Standard (NIMAS), which is designed to streamline access to instructional materials for students who are blind or have other print disabilities.

Enclosed is a fact sheet on NIMAS prepared by the Office of Special Education Programs (OSEP). In addition, there is a NIMAS technical advice Web site which provides a detailed explanation of the NIMAS provision and its background. The Web site is <http://nimas.cast.org>.

States' Responsibilities

Every state is required to adopt the NIMAS. The NIMAS outlines a set of consistent and valid specifications for document source files created by K-12 curriculum publishers or other content producers that can be used to create accessible specialized formats of print instructional materials. Curriculum materials covered by NIMAS include printed textbooks and printed core

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materials that are written and published primarily for use in elementary and secondary school instruction and that are required by a state or school district for use by students in the classroom. Each state must provide an assurance to OSEP, as part of the State's Part B application, that students who need curriculum materials in alternate formats are provided with those formats in a timely manner to ensure access to the general education curriculum.

In addition, the state may choose to "opt-in" or "opt-out" of the National Instructional Materials Access Center (NIMAC). The NIMAC will create a national repository of NIMAS source files that can then be converted into formats that are accessible by students who are blind or have other print disabilities. Montana has decided to "opt-in" and has provided an assurance to OSEP regarding our participation in NIMAC. Even though the Office of Public Instruction does not order textbooks for districts, choosing to participate in NIMAC will help districts acquire student-ready versions in a more timely and cost-efficient manner.

Districts' Responsibilities

Each district has the option of participating in NIMAC. Whether a district does or does not participate in NIMAC, the district will be responsible for ensuring that each child who requires instructional materials in an alternate format will receive it in a timely manner. The Montana Office of Public Instruction recommends that districts choose to participate in NIMAC because this national effort to centralize the distribution of instructional materials in alternate formats will help guarantee timely provision of such materials to students.

For districts that choose to participate in NIMAC, future contracts with publishers for textbooks and other printed core materials *must* include a provision that requires the publisher to produce NIMAS files and send them to the NIMAC (this will not add any cost to the contract). Curriculum publishers have been involved in discussions relating to NIMAS and are well aware of its requirements. Model contract language is included below:

"By agreeing to deliver the materials marked with "NIMAS" on this contract or purchase order, the publisher agrees to submit a valid NIMAS file set to the NIMAC at the American Printing House for the Blind, Inc. (APH). 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 file sets of the purchased products to the NIMAC. This is page ___ of ___ of this contract or purchase order."

In lieu of, or in addition to, choosing to participate in NIMAC, each LEA may contract with curriculum publishers directly to purchase accessible, student-ready versions. In most cases, however, you will find that publishers will not have such versions for sale.

Required Documentation

An assurance is required for each district as a part of the FY '07 IDEA Part B/Preschool application. Because this application was sent out last spring, this assurance was not part of the assurances documentation. This is an eligibility requirement that a district must sign in order to comply with IDEA requirements.

Each district that participates in an IDEA Part B/Preschool application or applies for Part B funds itself is required to review this assurance, check YES or NO to indicate if the district will "opt-in" to the NIMAC or provide materials in an alternate but timely manner, sign the assurance, and return it to: Marlene Wallis, Office of Public Instruction, PO Box 202501, Helena, MT 59620-2501.

State Contacts for NIMAS and NIMAC Information

Staci Bechard 771-6051 Librarian, MSDB Media Center

Rita Campbell 771-6090 Clerk, MSDB Media Center

Marilyn Pearson 444-4428 Acting Administrator, Division of Special Education

For more information

- To learn more about NIMAS, please refer to <http://nimas.cast.org>
- To learn more about the NIMAC, please refer to <http://nimac.us>

Enclosures