

---

# AIMing for Achievement

## NIMAS 101

UAAACT Conference

---

February 2009

Christine Timothy

Christine Timothy  
NIMAS State Coordinator  
Utah State Office of Education

Vali Kremer  
Utah State Instructional Materials  
Access Center (USIMAC) Coordinator

# What does NIMAS mean?

“NIMAS” stands for National Instructional Materials Standard.

States are required to adopt NIMAS.

NIMAS-conformant files outline a set of consistent and valid XML-based source files created by K-12 curriculum publishers or other content producers. The full set of files includes XML content files, a package file, and a PDF file.

NIMAS files are source files that can be used to create accessible, student-ready, alternate-format versions of print instructional materials. These may include Braille, large print, audio books, Digital Talking Books (DAISY), or other electronic formats.



NIMAS is a technical standard established for use by book publishers to produce **source files** (in XML) that may be used to develop multiple **specialized formats** for **children with print disabilities**

```
graph TD; A["NIMAS is a technical standard established for use by book publishers to produce source files (in XML) that may be used to develop multiple specialized formats for children with print disabilities"] --> B["Due to:"]; A --> C["Specialized formats"]; B --> D["• Blindness"]; B --> E["• Visual impairments"]; B --> F["• Physical limitations"]; B --> G["• Reading disability from organic dysfunction"]; C --> H["• Braille"]; C --> I["• Large print"]; C --> J["• Audio text"]; C --> K["• Digital text"];
```

*Due to:*

- Blindness
- Visual impairments
- Physical limitations
- Reading disability from organic dysfunction

- Braille
- Large print
- Audio text
- Digital text

---

## NIMAS Language within the Individuals with Disabilities Education Improvement Act (IDEA 2004)

- 📖 State and/or Local Education Agencies must adopt the NIMAS
  - 📖 Establishes a National Instructional Materials Access Center (NIMAC) SEA's will opt in or opt out of the NIMAC
  - 📖 States that opt in will require publishers to submit NIMAS-conformant files to the NIMAC
  - 📖 Copyright protections for publishers are addressed
  - 📖 Large print added to the Chafee Copyright exemption
-

---

## How did NIMAS evolve?

- 📖 Based on the Chafee Amendment to Copyright law, an exemption designed to facilitate the provision of accessible print materials to blind or other persons with print disabilities.
  - 📖 A grant from the Department of Education was given to CAST to convene a national panel to suggest a voluntary format.
  - 📖 NIMAS language was included into IDEA 2004, essentially changing the voluntary standard into a national mandate.
-

---

# What is the Chafee Amendment

- 📖 Exception to the exclusive rights of a copyright holder
  - 📖 Allows an authorized entity to reproduce or distribute copies or recordings of a previously published, non-dramatic literary work in specialized formats exclusively for use by Blind or other persons with disabilities
    - ❑ Under the Chafee Amendment, specialized formats were limited to Braille, digital text, and audio.
-

---

# How did IDEA Change Chafee?

IDEA clearly excludes publishers acting in compliance with NIMAS requirements from liability for copyright infringement by adding a new paragraph to the Chafee Amendment:

- 📖 It is not an infringement of copyright for a publisher of print instructional materials for use in elementary or secondary schools to create and distribute to the NIMAC copies of the electronic files described in sections 612(a)(23)(C), 613(a)(6), and section 674(e) of the Individuals with Disabilities Education Act that contain the contents of print instructional materials using the National Instructional Material Accessibility Standard (as defined in section 674(e)(3) of that Act), if—
    - the inclusion of the contents of such print instructional materials is required by any State educational agency or local educational agency;
    - the publisher had the right to publish such print instructional materials in print formats; and
    - such copies are used solely for reproduction or distribution of the contents of such print instructional materials in specialized formats
-

---

# NIMAS ABCs

- Access to instructional materials for elementary – high school students with print disabilities
  - Before or upon delivery of print instructional materials to schools, NIMAS-conformant files must be provided by publishers
  - Center (NIMAC) receives files and provides access to media producers qualified to create specialized formats
-

---

# What is the NIMAC?

IDEA 2004 established the National Instructional Materials Accessibility Center at the American Printing House for the Blind (APH) in Louisville, KY.

NIMAC is the central repository for the NIMAS files.

States are not required to coordinate with the NIMAC; however, it is being strongly encouraged.

The NIMAC has three major responsibilities:

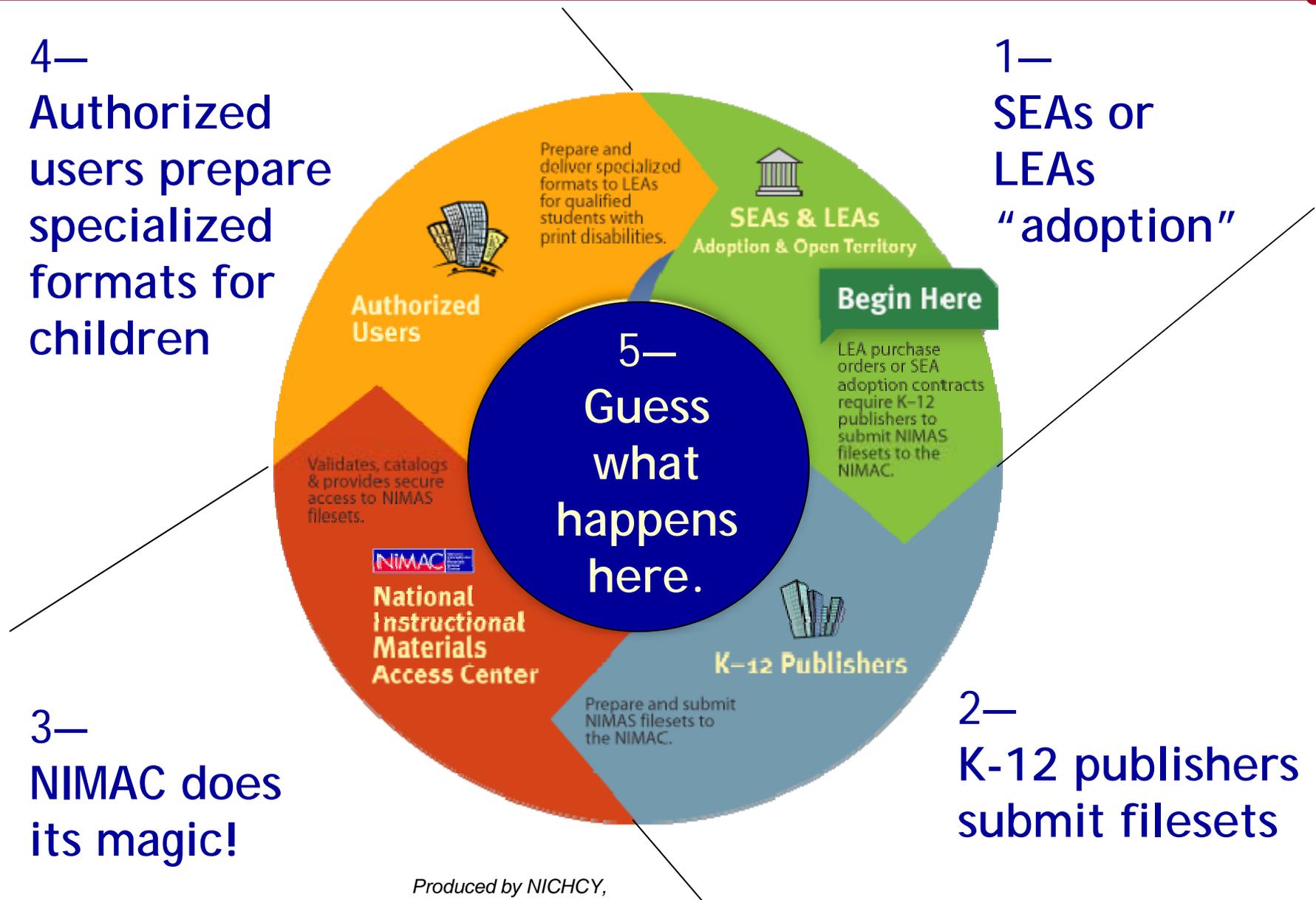
- Catalog and maintain NIMAS files
  - Develop and publish procedures to provide copyright protection
  - Provide NIMAS files to authorized entities
-

---

# Who are authorized entities?

- 📖 Public Law 104-197 defines “authorized entities” as a nonprofit organization or a governmental agency that has a primary mission to provide specialized services relating to training, education, or adaptive reading or information access needs of blind or other persons with disabilities.
  - 📖 They are generally considered to include national organizations such as the American Foundation for the Blind, Recordings for the Blind & Dyslexic, or BookShare and other agencies deemed qualified by SEA’s to act on their behalf.
  - 📖 APH has limited the number of users per state to five.
-

# Path A: Working with NIMAC



## 1—SEAs or LEAs “Adoption”



When purchasing/acquiring print instructional materials, State must enter into a written contract with publisher to:

- Require publisher to prepare electronic NIMAS files of text materials and provide the files to NIMAC on or before delivery of print materials, *or*
- Purchase instructional materials from publisher that are (or may be rendered) in specialized formats.

---

## 2—K-12 publishers prepare and submit filesets to NIMAC



You start with the textbook.

---

## 2–K-12 publishers prepare and submit filesets to NIMAC

Time for techno-speak.  
(You knew it was coming.)



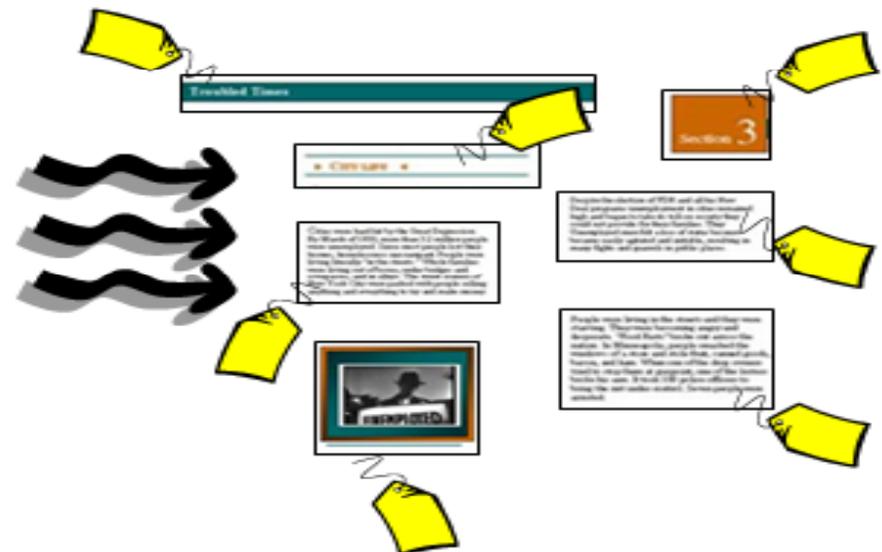
### XML Markup: tagging

**Section 3** Troubled Times

• **CITY LIFE** •

Cities were hardest hit by the Great Depression. By March of 1933, more than 12 million people were unemployed. Some poor people lost their homes, businesses ran out of gas. People were living literally "on the streets." Whole families were living out of boxes, under bridges and porches, and in alleys. The street scenes of New York City were packed with people selling anything and everything to buy and make money.

People were living on the streets and they were starving. They were becoming angry and desperate. "Riot Riots" broke out across the nation. In Mississippi, people smashed the windows of a store and stole food, canned goods, hams, and ham. When one of the shop owners tried to stop them at gunpoint, one of the looters took his arm. It took 100 police officers to bring the riot under control. Seven people were arrested.



# Voilà!

```
</level2>
<pagenum id="page_3" page="normal">3</pagenum>
- <level2 id="L001.002" class="mainsection">
  <h2 id="L001.002.H01" class="mainsection">Section 3: Troubled Times</h2>
  - <p id="L001.002.P001">
    Cities were hard hit by the Great Depression. By March of 1930, more than 3.2 million people were
    unemployed. Since most people lost their homes, homelessness ran rampant. People were living literally
    "in the streets." Whole families were living in boxes, under bridges and overpasses, and in alleys. The
    street corners of New York City were packed with people selling anything and everything to try and make
    money.
    <q>"Desperate times began to put into question the old American notion that if a man worked hard enough,
    he could always take care of himself and his family. The effect of the Depression on poor children was
    particularly severe.... Most elderly Americans did not have personal savings or retirement pensions to
    support them in normal times, let alone during a national economic crisis.... Even skilled workers,
    business owners, successful farmers, and professionals of all kinds found themselves in severe economic
    difficulty as one out of four in the labor force lost their jobs." (CRF, www.crf-usa.org.)</q>
  </p>
  - <table id="L001.002.001.003.T01" width="50%" border="1">
    - <thead>
      - <tr id="L001.002.001.003.TR01">
        - <td id="L001.002.001.003.TD01" align="center" rowspan="1" colspan="1">
          - <p>
            <strong>Year</strong>
          </p>
        </td>
      </tr>
    </thead>
  </table>
```

You have an XML-tagged file  
of that textbook page.

3—

**NIMAC**

National  
Instructional  
Materials  
Access  
Center

does its magic!

NIMAC checks to make sure that files from publishers are in valid NIMAS format

Files are catalogued into a Web-based database



*Produced by NICHCY, 2007*

**Authorized users** can search database for needed materials and download files directly

## 5—Children with print disabilities obtain specialized formats

This student is now hard at work in her history book



*Produced by NICHCY,  
2007*

# Which students qualify?

Any “print-disabled” students...

- Who receive services under IDEA 2004 or...
- Who receive accommodations under Section 504 of the Rehabilitation Act

OSEP is using the same language as used by the Library for the Blind to define “print disabled”.



---

# Will NIMAS Meet the Needs of All Students with Disabilities?

- In short, **NO.**
  - Some students may not meet the legal definition of students with print disabilities.
  - NIMAS is intended to help meet the needs of some students with print disabilities.
  - NIMAS files may only be used to produce digital text, audio, Braille, or large print.
  - Regulations are clear that just because NIMAS does not meet a student's need, the SEA/LEA is not relieved of its obligation to provide access.
-

---

# NIMAC in Utah

- 📖 The Utah State Instructional Materials Access Center (USIMAC) has been established in collaboration with USDB.
  - 📖 The USIMAC will provide one-stop shopping for accessible instructional materials for **ALL** students with print disabilities.
-

---

# Utah children potentially affected by NIMAS

- 📖 671 Legally Blind
- 📖 750 Visually Impaired
- 📖 3,000 with Reading Disabilities
- 📖 600 with Physical Limitations  
(or served under a 504 plan)



---

# The USIMAC will

- 📖 Establish an online ordering and tracking system for
    - 📖 Braille
    - 📖 Large Print
    - 📖 Audio
    - 📖 Digital Textbooks
  - 📖 Download NIMAS files from the NIMAC
  - 📖 Convert NIMAS files into student-ready formats
  - 📖 Produce or procure accessible textbooks not available in NIMAS format
  - 📖 Maintain database to track student eligibility
-

---

# Impact of NIMAS on need for technology



The effectiveness of  
accessible textbooks  
depends on...



# ...student access to technology



---

# Resources

## **Instructional Resource Centers for the Blind and Visually Impaired (IRCBVI)**

Instructional Materials Centers play an important role acting as a unifying structure for services to students with visual impairments

In Utah, it is the Utah Educational Resource Center housed at USDB [www.usdb.org](http://www.usdb.org) and The Utah State Instructional Materials Access Center (USIMAC) [www.usimac.org](http://www.usimac.org).

---

---

# Resources



AFB - American Foundation for the Blind Textbooks and Instructional Materials Solutions Forum [www.afb.org](http://www.afb.org)



American Printing House for the Blind NIMAC link  
[www.nimac.us](http://www.nimac.us)

---

---

# Resources



Center for Applied Special Technology (CAST)

<http://nimas.cast.org>



NIMAS Information Website

[www.nimas.cast.org](http://www.nimas.cast.org)

---

---

# Resources

- **Christine Timothy**
  - NIMAS State Coordinator
  - Utah State Office of Education
  - Department of Special Education
  - [christine.timothy@schools.utah.gov](mailto:christine.timothy@schools.utah.gov)
- 

- **Vali Kremer**
  - USIMAC Coordinator
  - [valik@usimac.org](mailto:valik@usimac.org)
-