NIMAS LAW

FEDERAL REGISTER

"NIMAS" means the standard established by the Secretary to be used in the preparation of electronic files suitable and used solely for efficient conversion into specialized formats). [34 CFR 300.172(a)(1)(iii)] [674(e)(3)(B)] [20 U.S.C. 1474(e)(3)(B)]

UTAH STATE SPECIAL EDUCATION RULES

VIII.W. ACCESS TO INSTRUCTIONAL MATERIALS. (§300.172)

1. Utah has adopted the National Instructional Materials Accessibility Standard (NIMAS) and is coordinating with the National Instructional Materials Accessibility Center (NIMAC) for the purpose of providing instructional materials to blind persons or other persons with print disabilities, in accordance with publication of the NIMAS in the Federal Register on July 19, 2006 (71 FR 41084).

2. For all purposes of this section, the USOE defines a “timely manner" as follows: the USOE and LEAs must take reasonable steps to provide instructional materials in accessible formats to students with disabilities who need those instructional materials at the same time as other students receive instructional materials.

3. The USOE is responsible for ensuring that students with disabilities who need instructional materials in accessible formats, and who are not included under the definition of blind or other persons with print disabilities in this section or who need materials that cannot be produced from NIMAS files, receive those instructional materials in a timely manner.

4. USOE coordinates with NIMAC by, as part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials, entering into a written contract with the publisher of the print instructional materials to:

    a. Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to NIMAC electronic files containing the contents of the print instructional materials using the NIMAS; or

    b. Purchase instructional materials from the publisher that are produced

b. Purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats.

5. The USOE, to the maximum extent possible, works collaboratively with the State agency responsible for assistive technology programs.

6. Definitions for this section and Rule IX.I:

   a. “Blind persons or other persons with print disabilities” means students served under Part B of the IDEA who may qualify to receive books and other publications produced in specialized formats in accordance with the Act entitled ``An Act to provide books for adult blind,'' approved March 3, 1931, 2 USC 135a.

   b. “National Instructional Materials Access Center or NIMAC” means the center established pursuant to Section 674(e) of the IDEA.

   c. “National Instructional Materials Accessibility Standard or NIMAS” has the meaning given the term in Section 674(e)(3)(B) of the IDEA.

   d. “Specialized formats” has the meaning given the term in Appendix C of Part B of the IDEA.

7. The definitions in VIII.W.6 apply to each LEA, whether or not the LEA chooses to coordinate with the NIMAC.