ACCESSIBLE INSTRUCTIONAL MATERIALS

PROOF OF DISABILITY

The Individualized Education Program team determines the need for accessible instructional materials. The need should be reflected in the “Present Level of Academic Achievement and Functional Performance” as well as documented in the “Supplementary Aids and Services” section of the Individualized Education Program.

Once a need has been established, the team must determine the appropriate route for acquisition of the accessible instructional materials. Written proof of disability is required for the provision of copyrighted accessible instructional materials In accordance with the U.S. federal copyright law (17 U.S.C. **§** 121).

The Proof of Disability must be completed and signed by a qualified professional in the field of disabilities services, education, medicine or psychology. This professional must be a recognized expert who attests to the physical basis of the visual, perceptual, or other physical disability that limits the applicant’s use of standard print. It is recommended that a copy of this documentation reside in the students CA-60.

Michigan’s Integrated Technology Supports (MITS) and Jeff Diedrich, State Coordinator for the National Instructional Materials Accessibility Standard (NIMAS) as defined in the Individuals with Disabilities Education Act (IDEA), have adapted the long-standing criteria for determining eligibility established by Bookshare.org, a project supported by the U.S. Department of Education, Office of Special Education Programs.

**Appropriate certifying experts may differ for different disabilities.** In the case of blindness and visual impairments, a competent authority may be an ophthalmologist or optometrist; in the case of a perceptual disability, a neurologist, learning disability specialist (a teacher with this type of certification is an example), or school psychologist with a background in disabilities may be the most qualified competent authority - see eligibility criteria chart below for additional information.

**IDENTIFYING INFORMATION**

First Name of Student:

Last Name of Student:

Unique Identification Code (UIC):

Address:

City:       State:       Zip Code:

Date of Birth:       e-mail:

Parent/guardian if under the age of 18:

**PROOF OF DISABILITY**

To be completed by a Competent Authority.

Please indicate the disability that prevents the Applicant from effectively reading standard print by checking the appropriate box:

Visual impairment, including blindness

Learning disability that significantly affects reading

Other physical disability

Name of Competent Authority:

Title:

District/Organization:

Address:

City:       State:       Zip Code:

e-mail:       Phone:

I attest, under penalty of perjury, to the physical basis of the visual, perceptual or other physical disability limiting the applicant’s ability to effectively use standard print, and that I have the professional qualifications to make such a certification and/or have legal access through my organization to existing written documentation attesting to this fact.

Signature Date

Eligibility Criteria Chart

|  |  |  |
| --- | --- | --- |
| Disability | Qualified / Not Qualified | Examples of Competent Authorities |
| Low-Vision | Qualified, if confirmed by a Competent Authority | 20/70 in the better eye after correction for low vision or a degenerative condition as determined by an Ophthalmologist or optometrist |
| Legally Blind | Qualified, if confirmed by a Competent Authority | 20/200 in the better eye after correction or have a 20-degree field loss as determined by an Ophthalmologist or optometrist |
| Physical Disability | Qualified, if confirmed by a Competent Authority that the disability significantly affects the use of printed materials | Members of the Individualized Education Program Team who have knowledge and expertise regarding the physical disability. These may include the family doctor, physical therapist, occupational therapist, or special education teacher. |
| Learning Disability | Qualified, if confirmed by a Competent Authority that the disability has a physical basis and significantly affects the use of printed materials | Members of the Individualized Education Program Team who have knowledge and expertise regarding the physical disability. This may include a neurologist, school psychologist, speech-language pathologist, or special education teacher. |

The Michigan Administrative Rules for Special Education define eligibility for special education services within thirteen categories of disability. Eligibility for special education services does not guarantee eligibility for accessible instructional materials – students must meet additional criteria as determined by a competent authority.

It should be noted that the percentage of students who meet the eligibility criteria is very small – approximately 3% of the student population. Eligibility for special education does not guarantee eligibility for accessible instructional materials. Many of these students will not require nor benefit from accessible instructional materials. Some students with disabilities will need accessible instructional materials but not meet the eligibility criteria under Copyright law. According to the Individuals with Disabilities Education Act (IDEA), it is the districts responsibility to ensure that children with disabilities who need instructional materials in accessible formats, but are not included under the definition of blind or other persons with print disabilities in Sec. 300.172(e)(1)(i), receive those instructional materials in a timely manner.