OSEP Monthly National Technical Assistance Call

May 23, 2024

▶ **OSERS Priorities**

- Glenna Wright-Gallo, Assistant Secretary, OSERS

▶ **NIMAC and Procurement**

- Nicole Gaines, Project Director, NIMAC

- Liz Schaller, Manager, NIMAC

OSEP | **OFFICE OF SPECIAL EDUCATION PROGRAMS**
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

RAISE THE BAR: LEAD THE WORLD

ACHIEVE ACADEMIC EXCELLENCE

- Accelerate learning for every student
- Deliver a comprehensive and rigorous education for every student

BOLDLY IMPROVE LEARNING CONDITIONS

- Eliminate the educator shortage for every school
- Invest in every student's mental health and well being

CREATE PATHWAYS FOR GLOBAL ENGAGEMENT

- Ensure every student has a pathway to college and a career
- Provide every student with a pathway to multilingualism

RAISE THE BAR

OUR OSERS MISSION & PRIORITIES

TO IMPROVE EARLY CHILDHOOD, EDUCATION, AND EMPLOYMENT OUTCOMES AND RAISE EXPECTATIONS FOR ALL PEOPLE WITH DISABILITIES, THEIR FAMILIES, THEIR COMMUNITIES, AND THE NATION

LEADING FOR EQUITABLE OUTCOMES

PREPARED WORKFORCE
Remedy immediate staffing shortages and effectively deploy diverse and equipped educators, providers, and support personnel

EVIDENCE-BASED PRACTICES
Amplify, promote, and actively drive effective learning experiences, instruction, intervention, services, and support

ACCESSIBLE TECHNOLOGY
Accelerate usage of inclusive materials and technology for in-person and remote learning and employment

STAKEHOLDERS
Engage families, individuals with disabilities, educators, providers, policy makers, advocates, and communities to identify successes, barriers, and needs

STRATEGIC RESOURCES
Invest in data-aligned coordinated activities that advance Competitive Integrated Employment (CIE)

RAISE THE BAR

NIMAS and Procurement

Opportunities & Challenges

Nicole Gaines, NIMAC Project Director
Liz Schaller, NIMAC Manager
May 2024

Today's Presentation

- An Introduction to the NIMAC

- The Key Role of Instructional Materials Procurement in the AEM Ecosystem

- Continuing the Conversation: Working Together to Support States

The NIMAC:
A Brief Introduction

The Problem & the Solution

Problem: Students who required accessible formats such as braille were unable to receive them on time due to the difficulties in getting a publisher source file to start the production of the accessible format. Obtaining a file on request from a publisher could take weeks or months, and sometimes no file was available at all.

Solution: IDEA 2004 created a national file format (NIMAS) for SEAs and LEAs to use in producing accessible formats **and** a national repository to house these files (the NIMAC).

The NIMAC

- The National Instructional Materials Access serves as the source file repository for K-12 textbooks and core instructional materials.

- Files received by the NIMAC from publishers are used by states to produce braille, EPUB, large print and other accessible formats.

- The Goal: A digital source file will already be available in the NIMAC when braille or another accessible format needs to be produced – so that production can begin immediately.

The NIMAC Today

- The NIMAC project first launched in late 2006.
- To date, the repository has received over 77,000 files from 190+ publishers.
- NIMAC users have downloaded over 53,000 files to use in the first-time production of accessible formats.
- Side note: NIMAS files are used only in the first-time production of an accessible format.
- Subsequent reproduction of the accessible format does not involve downloading the NIMAS again.

Working with the NIMAC

- Under IDEA, SEAs and LEAs are not required to work with the NIMAC, but all 50 states, plus the eligible territories, have chosen to work with us.

- When SEAs and LEAs choose to "coordinate" with the NIMAC, IDEA 2004 requires that they include language in their procurement contracts directing publishers to send files to the NIMAC.

- SEAs also agree to designate Authorized Users of the NIMAC.

NIMAC Authorized Users (AUs)

- AUs are generally from within the educational structure of the state (e.g., instructional resource centers, larger school districts, schools for the blind).

- AUs can either directly download NIMAS files to produce accessible formats, or they can assign the files for download by registered Accessible Media Producers (AMPs).

- AMP accounts are freely available but can only download files assigned by an AU.

AUs and AMPs

- The NIMAC has over 400 registered AUs and AMPs across the U.S. and the territories.

- NIMAC users are either directly involved in producing braille or other accessible formats, or they may manage this work on behalf of students in their state.

- American Printing House for the Blind (APH) and Bookshare are two national organizations that produce materials from NIMAS.

- We also work with many small agencies and organizations.

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NIMAS Eligibility

- IDEA also defines the eligibility for students who can receive accessible materials produced from NIMAS files.

- Students must have **both:**
    1. A qualifying disability under the NLS Guidelines; **and**
    2. An IEP.

What are NIMAS files?

- NIMAS is the **source file** format that the NIMAC receives from publishers.

- Based on the DAISY Talking Book format, NIMAS can be used to produce a range of accessible formats.

- NIMAS is **not distributed directly to students**—it requires conversion into braille, large print, EPUB, DAISY, digital audio or another accessible format before it is used.
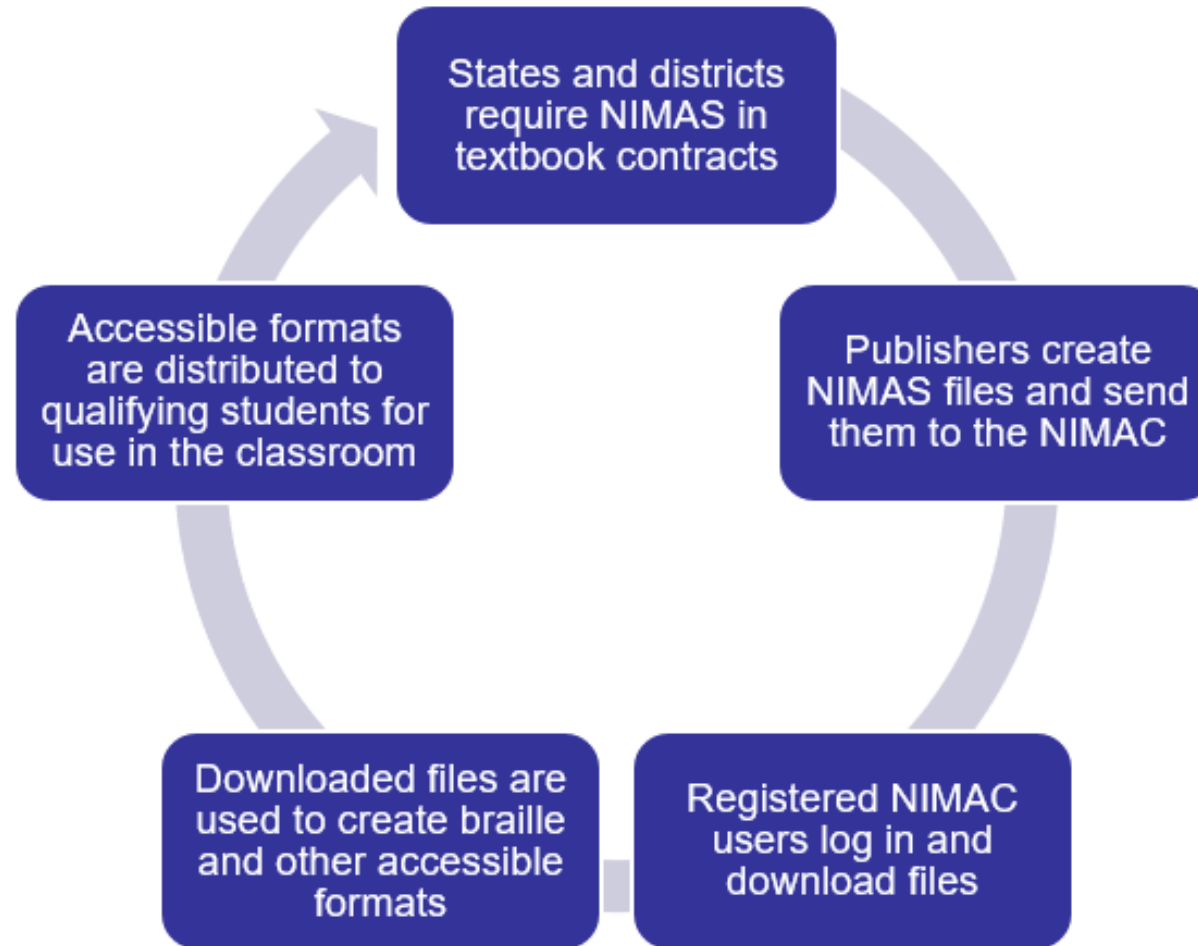
How are NIMAS files produced?

- NIMAS is not a format that publishers have on hand in their digital archives.

- It is not a format that is automatically generated in print book or ebook production workflows.

- Virtually all publishers who submit files outsource NIMAS production to 3rd party vendors that specialize in digital content conversion.

- This process can take many weeks.

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Content in the Repository

- The NIMAC receives files in accordance with SEA and LEA textbook adoption contracts and purchase agreements.

- We receive a wide range of student-facing materials used in K-12, including textbooks, workbooks, supplementary readers, ancillaries, and some digital materials.

- Per IDEA, materials within scope for NIMAS are those "published primarily" for use in elementary and secondary education and "required for use by students in the classroom."

How the NIMAC/NIMAS Supports Students

States and districts require NIMAS in textbook contracts

Publishers create NIMAS files and send them to the NIMAC

Registered NIMAC users log in and download files

Downloaded files are used to create braille and other accessible formats

Accessible formats are distributed to qualifying students for use in the classroom

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Coordinating with the NIMAC

- All 50 states and the eligible territories have coordinated.

- For practical reasons, the NIMAC does not manage individual "coordination" for the 13,000+ LEAs.

- From the NIMAC's standpoint, LEAs are considered as "coordinated" when the State coordinates.

- States do not share with the NIMAC whether any individual LEAs have opted out of the NIMAC.

The Critical Role of Instructional Materials Procurement

- SEAs and LEAs that coordinate are **required under IDEA** to include language in their procurement contracts directing publishers to send files to the NIMAC.

- This is the **only** mechanism in IDEA to require files from publishers.

- There is no blanket requirement for publishers to send files to the NIMAC.

Procurement Requirement in IDEA 2004

Title I, Part B, Sec. 612 (a) (23) (C)

[…] as part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials, shall enter into a written contract with the publisher of the print instructional materials to—

- (i) require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Materials Access Center electronic files containing the contents of the print instructional materials using the National Instructional Materials Accessibility Standard;

Why Procurement Matters

- When customers include language requiring NIMAS in contracts, we'll have files available when braille, EPUB, large print or another format needs to be produced.

- When SEAs and LEAs do not include NIMAS language in their contracts, we may not receive the files.

- When the NIMAC does not have a file, there will be delays in getting the accessible format produced – timely delivery will often be impacted.

Requesting Files from Publishers

- If NIMAC users do not find a file in the NIMAC that they need, they can place the ISBN on a "Watchlist" in the online system.

- NIMAC check for new items daily and research the requested titles.

- When materials are within scope for the NIMAC, we reach out to the publisher to request a file.

- While most publishers are helpful and willing to provide a file upon request, the timelines can be long for submission.

Files by Request: A Long Wait

2023 Requests: Weeks to File Delivery
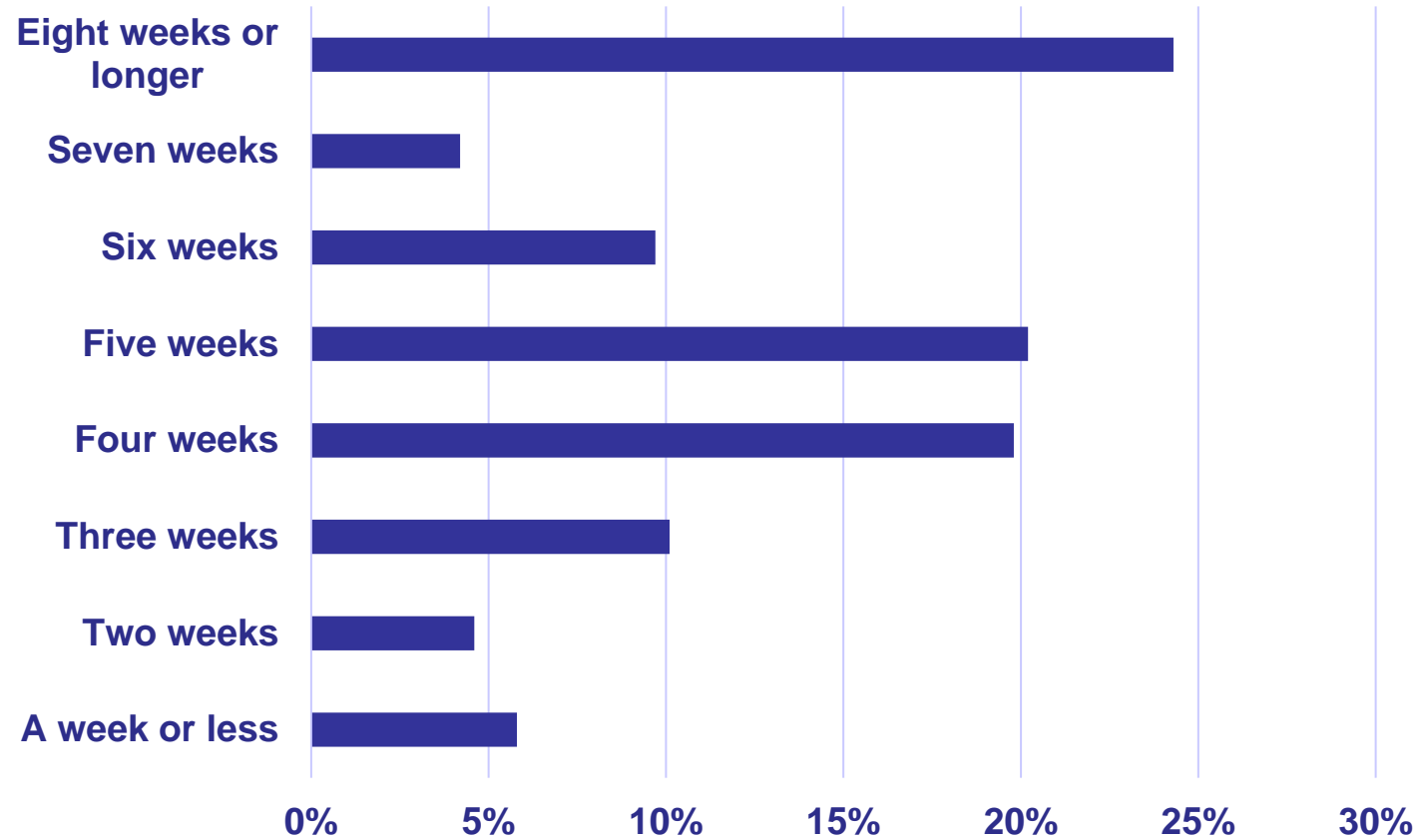
Watchlist Timelines

- Almost 80% of the requests require four weeks or longer for the publisher to fulfill.
- 24% take eight weeks or longer.
- This time is added onto the time required to create the accessible format needed by the student.
- Braille, for example, can take several months for the first volumes to be prepared.
- Large print can take 2-3 months from formatting to completion of the bound book.

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Watchlist and States

- Use of the Watchlist service is **optional**.

- In 2023, users from 21 states placed requests: AL, AR, AZ, CA, FL, GA, IA, IN, LA, MA, MD, MI, MN, MO, MT, NC, ND, NY, OH, OR, and TN.

- Use of the Watchlist by a specific AU or AMP is not necessarily an indication that their SEA or the LEAs in the State are better or worse than average in including NIMAS language in procurement contracts.

States' NIMAC Activity

NIMAC Activity: National Totals by Year
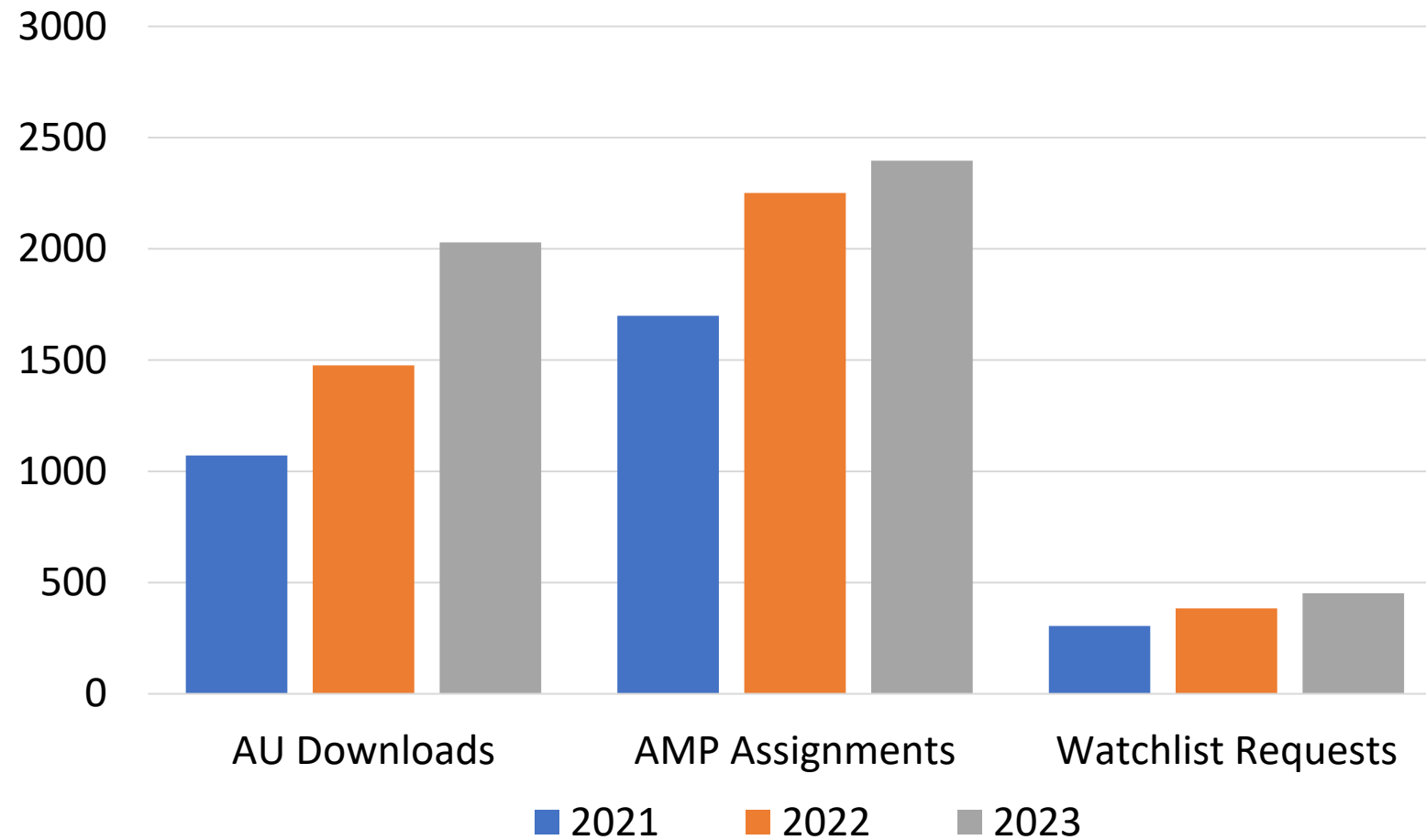
NIMAC Activity: Numbers

NIMAC Activity: National Totals

NIMAC Activity	2021	2022	2023
AU Downloads	1071	1476	2029
AMP Assignments	1699	2251	2396
Watchlist Requests	305	384	452
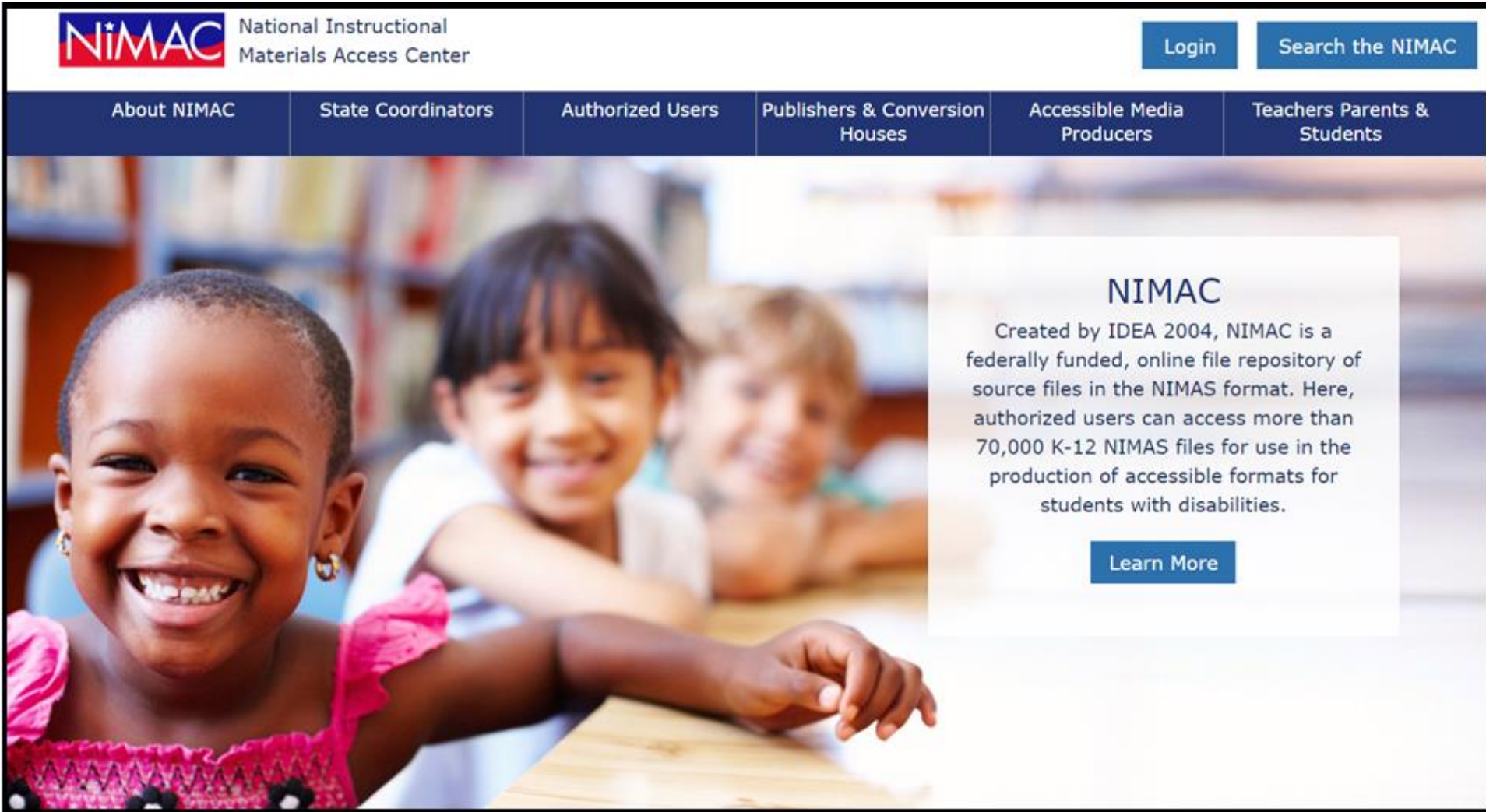
NIMAC Activity: Average Usage Per State/Territory

NIMAC Activity	2021	2022	2023
AU Downloads	19	26	36
AMP Assignments	30	39	42

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Continuing the conversation

- The NIMAC would welcome the opportunity to continue the discussion after staff have had an opportunity to review the state-level data.

- How can we help ensure that your States are optimally utilizing the NIMAC?

- How can we work together to ensure that SEAs and LEAs are meeting their IDEA obligations in procurement?

Visit the NIMAC website!

Contact us!

- Please feel free to contact us at any time if you have additional feedback—or any questions related to the NIMAC:

nimac@aph.org

877-526-4622

https://nimac.us

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