

While much progress has been made in the past several years related to accessible formats, access to print based materials for students with disabilities continues to be a huge challenge. The advent of the NIMAS project and partnerships with Bookshare have been helpful, however most school districts continue to have textbooks and supplemental materials that pre-date NIMAS. Because of this students with disabilities often times still do not have timely access to the instructional materials in the appropriate format they need to participate fully in the general education curriculum. There needs to be special copyright provisions for this interim time period so that school entities can create derivative works and specially formatted materials that are not currently available through the NIMAC. If students with disabilities are assigned the same traditional textbook and materials assigned to all the other students shouldn't this be enough to satisfy the profitability concerns of the publishers.

The term "other reading disabled persons" and "other persons with disabilities" also needs to be more clearly defined to specifically include students with dyslexia and others who have difficulty with processing printed text as the result of a disability as defined educationally. As it currently stands there are those students who clearly fall within the copyright amendment guidelines; but there are also others, who while identified as having an educational disability, do not appear to fall within the current guidelines. This places school districts in a confusing and difficult position to try to define which students qualify and which students do not qualify under the copyright amendments. It is also very difficult for parents to understand when their child has a disability and they do not qualify for NIMAC materials. Clarity and fairness in the definition to include all students with disabilities who struggle with reading would be helpful.