R277. Education, Administration.
R277-800. Utah Schools for the Deaf and the Blind.
R277-800-1. Definitions.

A. "Accessible media producer" means companies or agencies that create fully-accessible specialized, student-ready formats for curriculum materials, such as Braille, large print, audio, or digital books.

B. "Advisory Council" means the Advisory Council for the Utah Schools for the Deaf and the Blind with members, responsibilities, and other provisions under Section 53A-25b-203 and R277-800-4.

C. "Assessment" means the process of documenting, usually in measurable terms, knowledge, skills, attitudes and abilities pertaining to the fields of vision and hearing. These assessments may include the following areas of focus:

(1) valid, reliable and appropriate assessments given to determine eligibility for placement and services by a team of qualified professionals and the student's parent(s);

(2) functional assessments accomplished by observation and measurement of daily living skills and functional use of vision or hearing;

(3) academic evaluations as part of the Utah Performance Assessment System for Student (U-PASS), criterion reference tests (CRTs), or the Utah Alternative Assessment with appropriate accommodations as indicated on the individual education program (IEP).

D. "Board" means the Utah State Board of Education.

E. "Campus-Based Program" means a program provided by USDB that offers an alternative to an outreach program for students who are blind or visually impaired, deaf or hard of hearing, or deafblind (ages three to 22). Services are provided by qualified USDB staff at a USDB site.

F. "The Chafee Amendment to the Copyright Act, 17 U.S.C. Section 121" (Chafee Amendment) is a federal law that allows an authorized entity to reproduce or distribute copyrighted materials in specialized formats for students who are blind or have other print disabilities without the need to obtain permission of the copyright owner. Authorized entities are governmental or nonprofit organizations that have a primary mission to provide copyrighted works in specialized formats for students who are blind or have other print disabilities.

G. "Child Find" means activities and strategies designed to locate, evaluate and identify individuals eligible for services under the IDEA.

H. "Consultation" means a meeting for discussion or the seeking of advice.

I. "Designated LEA" means the local education agency assigned by a student's IEP or Section 504 team to have primary responsibility for ensuring that all rights and requirements regarding individual student assessment, eligibility services and procedural safeguards are satisfied consistent with the Individuals

with Disabilities Education Act (IDEA) 20 U.S.C. 1400, Part B, or Section 504 of the Rehabilitation Act of 1973.

J. "Deafblindness" or "deafblind" means written verification provided by a medical professional stating that an individual has concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness. The definition of deafblindness also includes the provisions of 53A-25b-102 and 301.

K. "Educational Resource Center" (ERC) is a center under the direction of the USDB that provides information, technology, and instructional materials to assist Utah children with sensory impairments in progressing in the curriculum. It is also the mission of the ERC to facilitate access to materials, information and training for teachers and parents of children with sensory impairments.

L. "Hearing impairment/deafness" ('hard of hearing' for purposes of this rule) is defined as follows:

(1) Hearing impairment is an impairment in hearing, whether permanent or fluctuating, that adversely affects a student's educational performance but that is not included under the definition of deafness.

(2) Deafness is a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, and that adversely affects a student's educational performance.

M. "Local education agency" (LEA) means an agency that has administrative control and direction for public education. School districts, charter schools, and the USDB are LEAs.

N. "National Instructional Materials Access Center (NIMAC) is a central national repository that receives file sets in the NIMAS from publishers to maintain, catalogue and house for future reference file sets for states to use with students who have print disabilities and require accessible alternate formats.

O. "National Instructional Materials Accessibility Standard" (NIMAS) means the electronic standard that enables all producers of alternate formats for students with print disabilities to work from one standard format available from publishers for this purpose.

P. "Outreach program" is a program provided by the USDB that offers an alternative to a campus-based program for students who are blind or visually impaired, deaf or hard of hearing, or deafblind (ages three to 22). Services are provided at a student's resident school or at a designated school by a qualified teacher of the blind or visually impaired, deaf or hard of hearing, or deafblind.

Q. "Related services" means those supportive services that are necessary for the appropriate implementation of the IEP. These may include but are not limited to speech pathology, audiology, low vision services, orientation and mobility, school counselor,

transportation, school nurse, occupational therapy, or physical therapy.

R. "Section 504 accommodation plan" required by Section 504 of the Rehabilitation Act of 1973 means a plan designed to accommodate an individual who has been determined, as a result of an evaluation, to have a physical or mental impairment that substantially limits one or more major life activities.

S. "Technical assistance" means assistance to public education employees or licensed educators, and parents and families in significant areas of need by someone who has the expertise necessary to give council and training in designated areas.

T. "USDB" means the Utah Schools for the Deaf and the Blind.

U. "USOE" means the Utah State Office of Education.

V. "Utah State Instructional Materials Access Center (USIMAC) is a center that receives NIMAS electronic file sets and produces them in the accessible alternate format required by students with print disabilities.

W. Visual impairment (including blindness) is an impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness that adversely affects a student's educational performance.

X. "WPU" means weighted pupil unit, the basic unit used to calculate the amount of state funds for which a school district or charter school is eligible.

R277-800-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-25B-201 which describes the authority of the Board regarding the USDB, Section 53A-25b-203 which directs the Board to appoint Advisory Council members and assign a USOE staff member as a liaison between the Board and the Advisory Council, Section 53A-25b-302 which directs the Board to establish entrance policies and procedures to be considered, consistent with IDEA, for student placement recommendations at the USDB, Section 53A-25b-501 to establish USIMAC and outline collaboration and operating procedures for USIMAC and USDB resources, and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to provide standards and procedures for the operation of the USDB and the USDB outreach programs and services.

R277-800-3. Board Authority Over and Support for USDB.

A. Consistent with Section 53A-25b-201, The Board is the governing board of the USDB.

B. The USDB superintendent, appointed consistent with Section 53A-25b-201(2), is subject to the direction of the Board and its executive officer, the State Superintendent of Public Instruction.

C. The Board shall appoint the USDB superintendent on the basis of outstanding qualifications.

(1) The USDB superintendent's term of office is for two years and until a successor is appointed and qualified.

(2) The Board shall set the USDB superintendent's compensation for services.

(3) The USDB superintendent shall have, at a minimum, an annual evaluation, as directed by the Board.

(4) The USDB superintendent qualifications shall be established by the Board.

(5) The duties of the USDB superintendent shall be established by the Board.

D. The Board shall direct the USOE to support, provide assistance and work cooperatively with the USDB in providing services to designated Utah students.

E. The Board shall assign a liaison to provide appropriate supervision to the USDB to ensure compliance with the law.

F. The Board and USOE staff, as assigned, shall assist the USDB and its superintendent and associate superintendents in adopting policies and preparing an annual budget that are consistent with the law.

(1) The Board shall approve the annual budget and expenditures of USDB.

(2) The USDB superintendent shall, subject to the approval of the Board, appoint an associate superintendent to administer the Utah School for the Deaf and an associate superintendent to administer the Utah School for the Blind. Qualifications of the associate superintendents shall be aligned with the requirements of Section 53A-25b-201.

(3) The USDB superintendent and associates may hire staff and teachers as needed for the USDB. Teachers and related service providers shall be appropriately licensed and credentialed or both for their specific assignments and support staff properly trained and supervised for their assignment.

(4) In employment practices and decisions, the USDB and the USDB superintendent shall maintain the accreditation of the USDB school and programs.

(5) The USDB superintendent and associates shall communicate regularly and effectively with the USOE and provide a written report to the Board at least annually in adequate time prior to the November legislative interim meeting or as requested by the Board.

(6) The USDB report shall contain:

(a) a financial report;

(b) a report on the activities of the superintendent and associate superintendents;

(c) a report on activities to involve parents and constituency, including school district and charter school personnel and advocacy groups, in the governance of the school and implementation of service delivery plans for students with sensory impairments; and

(d) a report on student achievement including student achievement data that provides longitudinal data for both current and previous students served by USDB, graduation rates, and students exiting USDB and their educational placements after exiting.

(7) USDB shall ensure that each child/student served by USDB is assigned a unique student identifier (SSID) to allow for annual data collection and reporting of achievement of current and past students.

(8) USDB shall provide the USOE with a listing of past and current children/students, including the assigned unique student identifier, served by USDB by September 1 of each year to facilitate the required data collection.

R277-800-4. USDB Advisory Council.

A. The Board shall establish the Advisory Council for USDB and appoint and support Advisory Council members as directed in Section 53A-25b-201. The purpose of the Advisory Council is to provide advice and recommendations to the Board and USDB administration regarding the instruction of students and the needs of children and students with sensory impairments served statewide by USDB.

B. The Advisory Council shall have not more than 11 Board-appointed voting members and shall include members as qualified under Section 53A-25b-201.

C. Advisory Council members shall be appointed for two year terms and may serve no more than three consecutive terms. Advisory Council members serve at the pleasure of the Board.

D. If an Advisory Council member resigns or is asked to resign, the Board shall appoint another member in a timely manner by seeking nominations.

E. The Board shall assist the Advisory Council in developing and passing by-laws establishing procedures for nominating and recommending dismissal of Advisory Council members, and setting ethical standards for Advisory Council members.

(1) The bylaws shall include operating procedures for the Advisory Council; and

(2) the bylaws may allow for representation on the Advisory Council of constituencies within the USDB community.

F. Advisory Council membership and school community council membership:

(1) Members of the Advisory Council may serve as school community council members under Section 53A-1a-108(4) and R277-491.

(2) The USDB school community council and election process shall be consistent with Section 53A-1a-108 and R277-491.

(3) The USDB may implement electronic voting and consider encouraging school community council participation through electronic meetings and technology that facilitate participation of parents of USDB students in voting and school community council meetings.

R277-800-5. USDB or Student's District of Residence/Charter School as Designated LEA.

A. To be eligible to receive services from the USDB, a student must be a resident of Utah and meet requirements of Section 53A-25b-301.

B. A student's placement at USDB, in a school/school district or charter school shall be determined by the student's IEP under IDEA or Section 504 accommodation plan. USDB services for students who are school-age shall be limited to those on an IEP or Section 504 accommodation plan.

C. Consistent with Section 53A-25b-301(3)(c), an IEP team or Section 504 team shall determine the appropriate placement for each blind, deaf or deafblind student consistent with IDEA using the Blind/Visually Impaired Guidelines, Deaf/Hard of Hearing Guidelines, or Deafblind Guidelines, as guidance. The USDB Guidelines are hereby incorporated by reference and included with this rule.

D. It is the responsibility of the student's district of residence or charter school to conduct Child Find under R277-800-1F, and to convene the initial IEP or Section 504 team meeting in order to determine a student's placement.

(1) A representative from the student's district of residence or charter school and a representative from the USDB shall be invited to the student's initial IEP or Section 504 accommodation plan meeting.

(2) The parental preference shall be considered in the IEP or Section 504 accommodation plan process consistent with Section 53A-25b-301(3)(c). The final placement decision, as documented on the IEP or Section 504 accommodation plan, shall document a free appropriate public education (FAPE) for the student and shall not be determined solely by parent preference.

E. When USDB is the designated LEA, USDB has full responsibility for all services defined in the IEP/Section 504 accommodation plan. A representative from the district of residence or charter school remains a required member of the IEP or Section 504 accommodation team.

F. When the district of residence or charter school is the LEA designated to provide services to a student with an IEP or Section 504 accommodation plan, the district of residence or charter school has the responsibility for providing instruction and services for the student except that the USDB may be designated by the team as a related service provider. The USDB remains a required member of the student's IEP or 504 accommodation plan team.

G. The IEP or Section 504 accommodation plan shall clearly define what services are to be provided by the related service provider(s).

H. The IEP or Section 504 team shall determine the designated LEA for student placement.

I. Parent complaints regarding student placement at district of residence or USDB:

(1) If a parent is dissatisfied with a student's placement at USDB or district of residence or charter school, the parent may access dispute resolution procedures, consistent with Utah State Board of Education Special Education Rules, August 2007.

(2) If a student's IEP or Section 504 accommodation plan provides for services to be provided by both the USDB and district of residence, or for the USDB and district of residence to share responsibility for serving a student, the parent may access dispute resolution procedures consistent with Utah State Board of Education Special Education Rules, August 2007.

R277-800-6. LEA and Board Interagency Agreement.

A. The Board, USOE and LEAs, with assistance from the USDB shall develop an Interagency Agreement that further explains roles, services, and financial obligations to students and participating entities and a basic process for resolving disagreements among the parties to the Agreement.

B. The Board shall also designate a USOE arbitrator or a panel of arbitrators to resolve disagreements among the USOE, the USDB, and LEAs regarding services to blind, visually impaired, deaf, hard of hearing, and deafblind students in order to provide services.

R277-800-7. USDB Programs and Services-Student Eligibility.

A. The USDB shall provide services and resources only for students who are deaf, blind or deafblind.

(1) A student with multiple disabilities whose disabilities include blindness, deafness or deafblindness may receive USDB services consistent with the student's IEP.

(2) Non-disabled preschool-age children may participate in USDB funded preschool programs consistent with the requirements of IDEA that students with disabilities must be served in the least restrictive environment and that groups or classes of students with disabilities must include non-disabled peers. Non-disabled children participating in these programs shall pay fees or tuition or both in order to participate.

B. When the USDB is the designated LEA, the USDB shall provide all appropriate services to the student consistent with the student's IEP or Section 504 accommodation plan. Services may include:

(1) USDB instructional supports:

(a) assessments for eligibility, placement, and educational programming and evaluation;

(b) Utah Augmentative Communication Team (UAAACT) assessments to determine assistive technology needs;

(c) augmentative communication devices;

(d) assistive technology as needed;

(e) educational technology as needed;

(f) access to ERC;

(g) extended school year as determined by the IEP team;

(2) USDB related services to support student needs:

(a) audiology services as needed;
(b) behavior intervention;
(c) low vision services;
(d) nursing;
(e) occupational therapy;
(f) orientation and mobility;
(g) psychology;
(h) physical therapy;
(i) speech and language therapy;
(j) social work as needed;
(k) transportation, consistent with the USDB transportation policy.

(3) Services for students who are deaf/hard of hearing:
(a) American Sign Language/English bilingual instruction;
(b) auditory/oral instruction;
(c) auditory therapy;
(d) cued speech transliteration;
(e) American Sign Language interpretation;
(f) oral transliteration.

(4) Services for students who are blind/visually impaired:
(a) Braille instruction;
(b) instruction in the expanded core curriculum;
(c) environmental awareness;
(d) orientation and mobility support.

(5) Services for students who are deafblind:
(a) deafblind consultant;
(b) communication intervener.

C. When the USDB is determined by the IEP or Section 504 accommodation plan team to act as the outreach program provider, the USDB shall provide technical assistance, consultation, and professional development on issues related to sensory disabilities available to LEAs from the USDB at no charge. Services consistent with the student's IEP or Section 504 accommodation plan may include:

(1) assessments for eligibility, placement, and educational programming and evaluation;
(2) assistive and educational technology;
(3) technology demonstration labs;
(4) transition planning;
(5) audiology services as needed;
(6) instructional strategies;
(7) instructional materials;
(8) Braille or large print or both;
(9) communication methodologies;
(10) accommodations as necessary for educational gain;
(11) modifications as necessary for educational gain;
(12) educational interventions;
(13) low vision services;
(14) occupational therapy;
(15) physical therapy;

(16) psychology;
(17) speech/language pathology;
(18) vision and hearing screening;
(19) interpreter training.

D. The following services shall be provided by the USDB to the LEA of a student with sensory disabilities at no cost to the LEA:

(1) deafblind services (as determined through the IEP):

(a) consultation with the student's teacher, parent and the student;

(b) communication intervener.

(2) orientation and mobility;

(3) diagnostic services:

(a) Utah Augmentative Communication Team (UAAACT) assessments to determine assistive technology needs;

(b) deafblind state assessment and coaching team.

E. The following designated services shall be available from USDB at no charge for LEAs with less than three percent of the total Utah student population:

(1) outreach teacher:

(a) sensory-specific services to students:

(i) instruction;

(ii) assessments for eligibility, placement, and educational programming and evaluation;

(iii) monitoring of student progress.

(b) supports to classroom teacher:

(i) consultation;

(ii) technical assistance.

(2) Related services to support the student:

(a) audiology;

(b) low vision services.

(3) The USOE shall designate annually the LEAs that meet the three percent eligibility standards for specific identified services.

F. LEAs may contract with USDB to provide the following services, if qualified personnel are available:

(1) outreach teacher;

(2) related services;

(3) ASL interpretation;

(4) assessment;

(5) assistive and educational technology instruction.

G. The following materials are available to LEAs on loan from the USDB. The duration of the loan and immediate availability of resources may vary:

(1) ERC:

(a) textbooks (Braille, large print);

(b) teaching aids;

(c) library materials;

(d) professional library;

(e) described and captioned media.

(2) technology loan programs (limited to 30 days):

(a) assistive and adaptive technology loan program;

(b) related services technology loan program.

(3) The USDB shall develop a policy and process for publishing annually a list of materials available for loan, LEAs to whom materials may be loaned, and loan periods.

(a) The policy shall emphasize communication among LEAs and the USDB about availability of resources. Resources shall be determined by a student's IEP or Section 504 accommodation plan; the origin of the resources may be determined between an LEA and the USDB.

(b) The USDB shall develop a protocol for use in reviewing and ordering materials not immediately available when requested, as part of a student's education program.

(c) Students/parents/guardians are on notice that materials are loaned for the use of the student for a designated period for educational purposes. If loaned materials are lost, stolen, or damaged intentionally or due to student negligence, the student/parent/guardian shall be responsible to reimburse the LEA or USDB for the costs of the materials.

R277-800-8. Payment by LEAs for USDB Services Beyond USDB Obligation.

A. Certain services provided by USDB personnel, employees or contract employees are identified in R277-800-7 and shall be provided to LEAs at no cost consistent with the student's IEP or Section 504 accommodation plan.

B. Other services and resources may be available to LEAs from the USDB for a reasonable charge or fee paid by the LEA, to the extent of resources or personnel available. These services include:

(1) outreach teachers;

(2) related services;

(3) American Sign Language;

(4) student assessment; and

(5) assistive and educational technology instruction.

C. The USOE, USDB and LEAs shall determine appropriate fees, consistent statewide, for services subject to review by the Board, and notice to LEAs and parents of children currently receiving services from the USDB. The USDB shall review and publish its fee schedule for services to LEAs annually.

R277-800-9. Assessment of USDB Students with Visual and Hearing Impairments Served in LEAs of Residence.

A. Students shall be assessed consistent with Section 53A-1-601 et seq., R277-402, R277-700, R277-705, IDEA, Section 504 of the Rehabilitations Act, and Section 53A-25B-304.

B. The USDB shall establish an assessment policy and guidelines to implement required assessments and address:

(1) appropriate, complete and timely evaluations of students;

(2) procedures for administration of assessments in addition

to those required by the law, as determined by IEPs, Section 504 accommodation plans and individual teachers;

(3) complete and accurate required assessments available to eligible students consistent with state and school district assessment timelines and availability of materials for non-disabled students;

(4) staff training and preparation on appropriate administration of assessments and reporting of assessment results; and

(5) procedures to ensure appropriate interpretation of assessments and results for parents and use of assessment results by USDB personnel.

R277-800-10. Outreach Programs.

A. The USDB and school districts or charter schools may negotiate to share the costs for providing more efficient, cost-effective, and convenient services to students who are deaf, blind, or deafblind in public school classrooms in locations other than the USDB campus.

B. School districts or charter schools shall provide:

(1) classroom(s);

(2) basic instructional materials;

(3) physical education, music, media, school lunch, and other programs and services, consistent with those programs and services provided to other students within the school district or charter school;

(4) administrative support;

(5) basic secretarial services;

(6) special education related services.

C. The USDB shall provide:

(1) classroom instructors, including aides;

(2) instructional materials specific to the disability of the students.

D. The responsibilities of the USDB and a school district or charter school may be reassigned as negotiated between the school district or charter school and the USDB.

E. A school district or charter school shall claim the state WPU if the school district or charter school provides all items or services identified in R277-800-10B.

R277-800-11. USDB Fiscal Procedures.

A. The USDB shall keep fiscal, program and accounting records as required by the Board and shall submit reports required by the Board.

B. The USDB shall follow state standards for fiscal procedures, auditing and accounting, consistent with Section 53A-25b-105.

C. The USDB is a public state entity under the direction of the Board and as such is subject to state laws identified in Section 53A-25b-105 including State Money Management Act, Open and

Public Meetings Act, Risk Management, State Building Board and Division of Facilities Construction and Management, Information Technology Services, Archives and Records Services, Utah Procurement Code, Budgetary Procedures Act, and Utah State Personnel Management Act.

D. The USDB shall prepare and present an annual budget to the Board that includes no more than a five percent carryover of any one fund, including reimbursement funds from federal programs.

E. Federal reimbursement funds (IDEA and Medicaid) shall be recovered quarterly during the year. Reimbursement amounts shall be identified in the current year's or no later than the subsequent year's budget.

F. The revenue from the federal land grant designated for the maintenance of the School for the Blind and for the School for the Deaf shall be used solely for the benefit of USDB students and the recommended or designated use of the fund is subject to review by the Board.

R277-800-12. Utah State Instructional Materials Access Center (USIMAC).

A. The Board authorizes the establishment of the USIMAC to produce core instructional materials in alternative formats to ensure that all students with print disabilities qualified under the Chafee Amendment receive their materials in a timely manner.

B. The USIMAC shall provide materials for all students with print disabilities who are qualified under the Chafee Amendment or otherwise eligible through an IEP or Section 504 accommodation plan.

C. The USOE shall oversee the operations of the USIMAC.

D. The USDB is the fiscal agent and operates the USIMAC to the extent of funds received annually from the Utah Legislature.

E. LEAs may purchase accessible instructional materials using their own funding or request the production of accessible instructional materials in alternate formats from the USIMAC in accordance with established procedures to ensure timely access for students with print disabilities.

F. For LEA textbook requests submitted by April 1 of the preceding school year, the USIMAC shall provide the textbook in the requested alternate format by the beginning of the following school year.

G. The USDB ERC shall serve as the repository and distribution center for the USIMAC.

H. Operation of the USIMAC

(1) Qualifying students: A student qualifies for accessible instructional materials from USIMAC (Braille, audio, large print, digital formats) following LEA determination that the student has a print disability in accordance with the Chafee Amendment, IDEA, or Section 504 of the Rehabilitation Act.

(2) Costs for developing core instructional materials:

(a) Textbooks for blind, vision impaired or deafblind students

served by the USDB or LEAs shall be requested by the LEA consistent with the student's IEP or Section 504 accommodation plan.

(b) When an LEA requests a core instructional textbook that was published before August 2006, the USIMAC shall conduct a search for the textbook within existing resources and, if available, the textbook shall be sent to the ERC for distribution to the LEA.

(i) If the textbook is not available within existing resources, the USIMAC will conduct a search to determine if the textbook is available for purchase through another source.

(ii) If the textbook is available through the American Printing House for the Blind (APH) the textbook shall be ordered and sent to the ERC for distribution to the LEA.

(iii) If the textbook is not available from APH, but is available from another accessible media producer, the textbook shall be purchased and sent to the ERC for distribution to the LEA.

(iv) If the textbook is not available for purchase, the USIMAC will produce the textbook and send it to the ERC for distribution.

(A) The USIMAC shall purchase the LEA-requested textbook in accordance with copyright law. The cost of the student edition textbook shall be charged to the requesting LEA.

(B) The USIMAC shall produce the textbook in the LEA requested alternate format in accordance with the cost sharing outlined in the Interagency Agreement described in R277-800-6.

(c) The sharing of costs for purchases described in R277-800-12 shall be outlined in the Interagency Agreement described in R277-800-6.

(d) For textbooks published since August 2006, the USIMAC shall follow the same procedures outlined in R277-800-12H(2)(b). If the USIMAC is unable to obtain the NIMAS file set in a timely manner as a result of publisher negligence, the Board shall authorize USIMAC to seek damages from publisher(s) as a result of the failure to meet contract provisions.

(3) Textbook publishers required to meet NIMAS requirements:

(a) All approved textbook contracts for the state of Utah for instructional materials published since August 2006 shall include a provision for making NIMAS file sets available through the NIMAC in accordance with IDEA and USOE Instructional Materials Contract timelines.

(b) If the USIMAC is unable to obtain the NIMAS file set from the NIMAC because the publisher fails to provide the NIMAS file set to the NIMAC in accordance with IDEA and USOE Instructional Materials Contract timelines, the USIMAC shall bill the textbook publisher the difference in the cost of producing the alternate format textbook without benefit of the NIMAS file set.

(c) The publisher shall be advised of the rule; the Utah Instructional Materials Commission under R277-469 shall not approve textbooks and materials from publishers that have a pattern of not providing materials and textbooks for students with disabilities in a timely manner, consistent with the law and Board rules.

(d) Requests for audio books shall be accessed through the

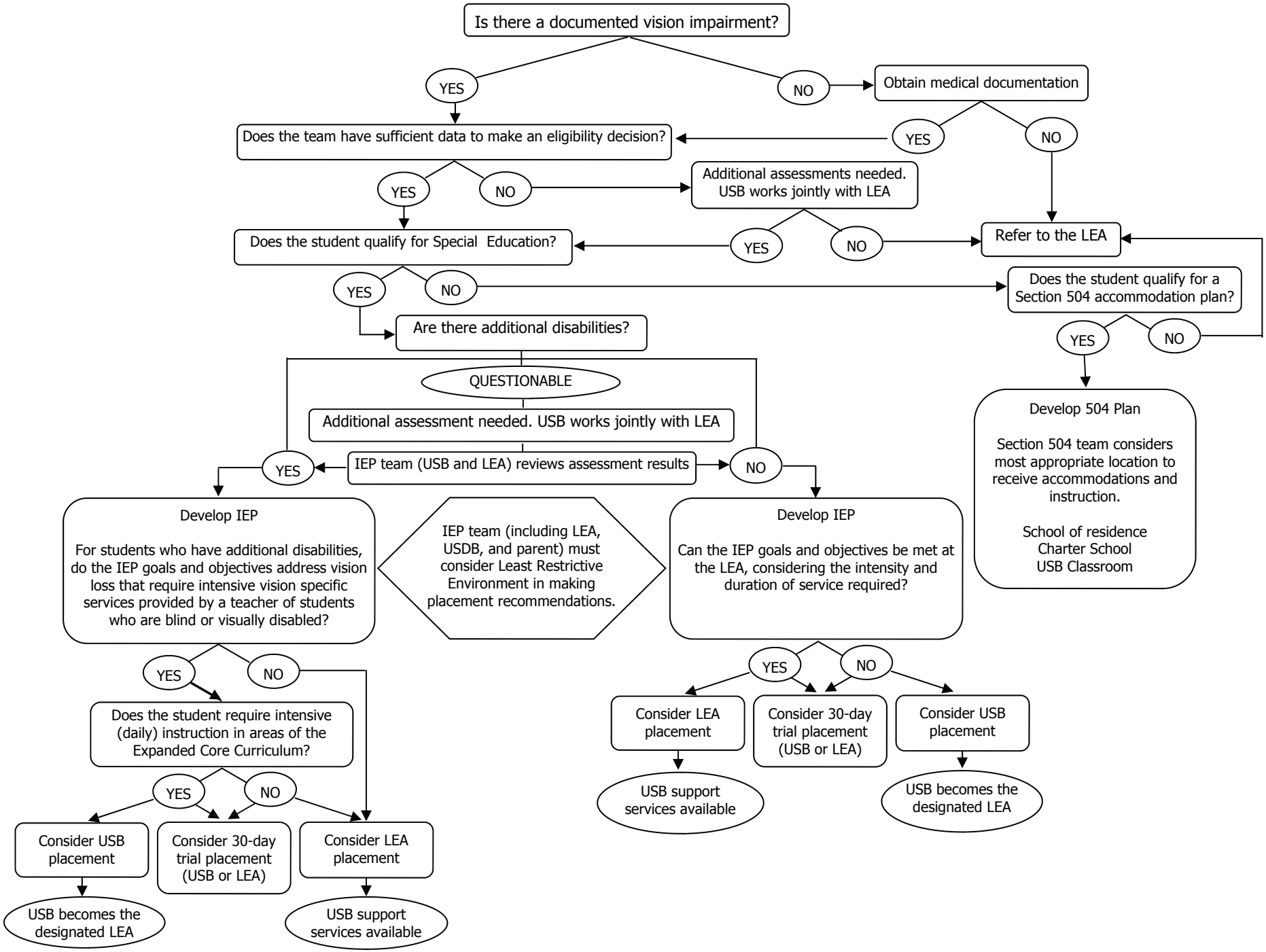
USIMAC as appropriate or through other sources. Membership required for other sources is the responsibility of the LEA designated as the responsible entity for serving the student in the IEP or Section 504 accommodation plan.

KEY: educational administration
Date of Enactment or Last Substantive Amendment: July 9, 2012
Notice of Continuation: July 23, 2009
Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-25b-203; 53A-25b-302; 53A-25b-501; 53A-1-401(3)

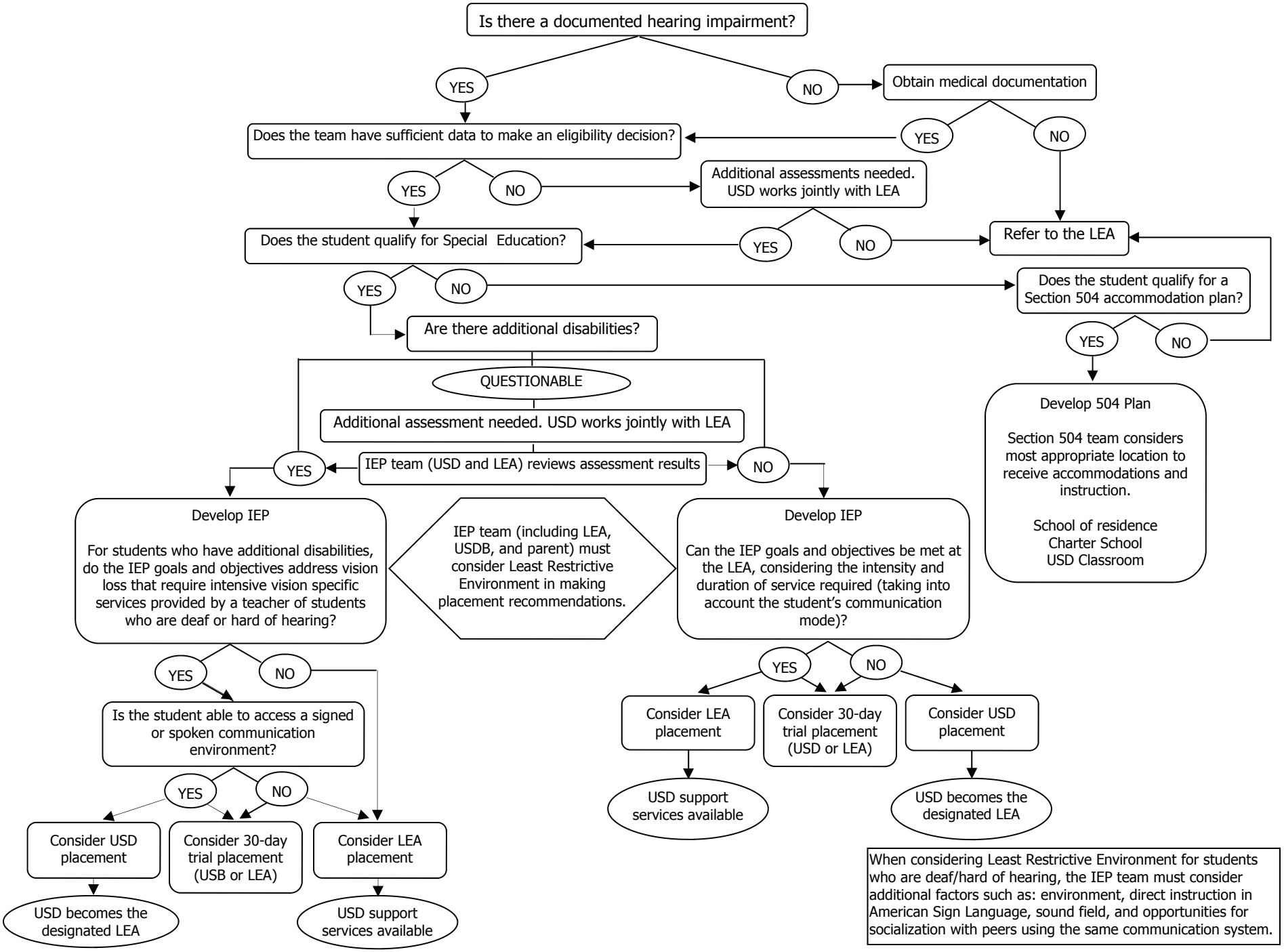
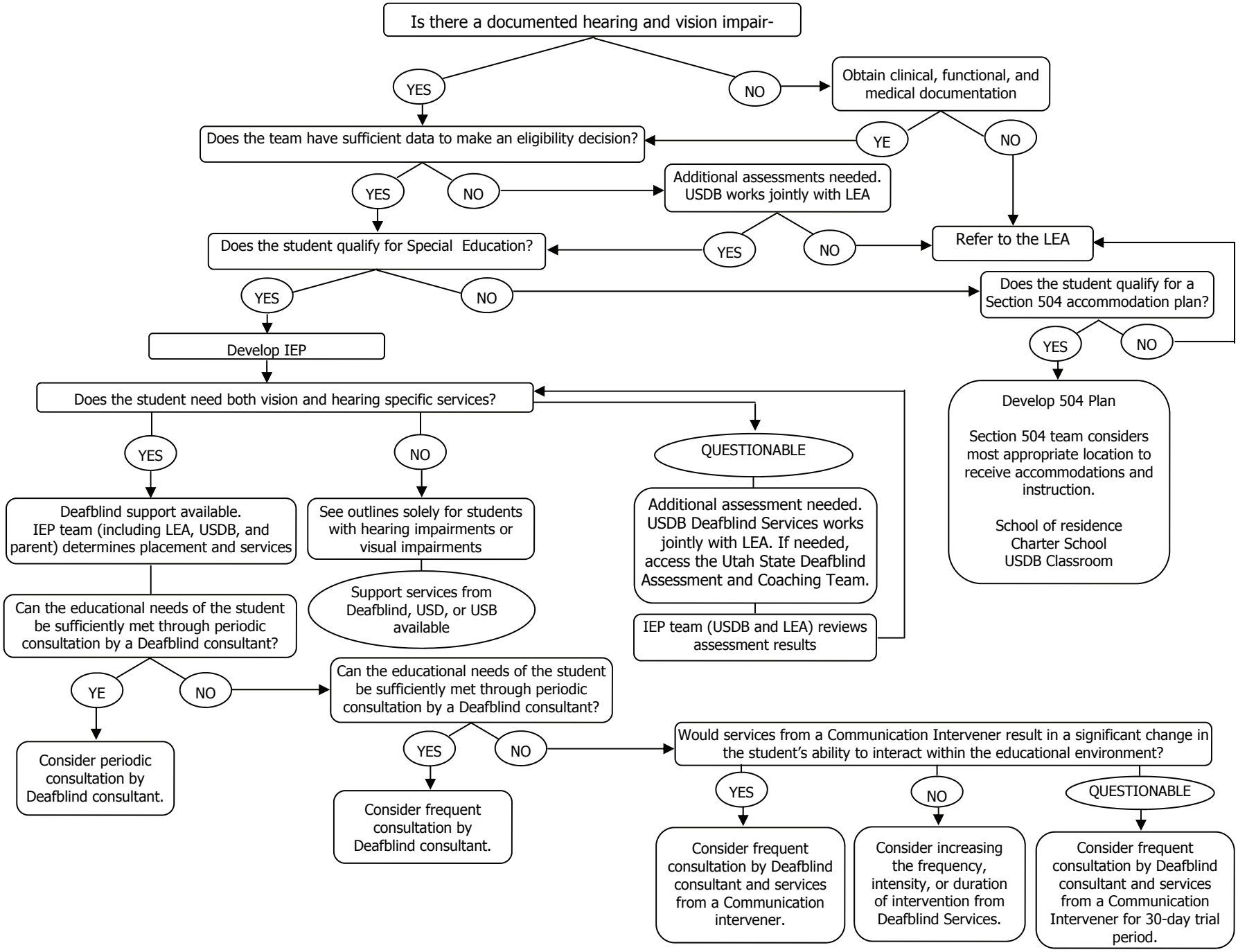
USDB GUIDELINES

EFFECTIVE DATE: 10/02/09

Blind/Visually Impaired Guidelines



Deaf/Hard of Hearing Guidelines



Deafblind Guidelines