



*Providing Services for Blind  
and Visually Impaired  
Students*

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*-- Mandatory Training --  
Required by the DRC v. MDOE Corrective  
Action Plan of March, 2010*

## *Overview*

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- ❖ Division of the Blind and Visually Impaired, Bureau of Rehabilitation Services, Department of Labor
- ❖ DRC v. MDOE Systemic Complaint Investigation
- ❖ Catholic Charities ESBVIC Program
- ❖ Accessible Instructional Materials
- ❖ Questions and Answers...



The presentation begins with a brief description of the Division of the Blind and Visually Impaired. This will provide a context for the discussion of the systemic complaint investigation and the implications of its findings for blind or visually impaired students. The required portion of this training ends at slide 22. The slides from 23 on contain information about the Catholic Charities program “Education Services for Blind and Visually Impaired Children,” including their referral process, as well as information regarding accessible instructional materials (AIM).

## --Division of the Blind and Visually Impaired -- DBVI

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❖ *Rehabilitation and education for 1600 BVI children and adult Maine residences annually.*

❖ *Accomplished through three programs:*

*--Education of Blind Children*

*--Vocational Rehabilitation*

*--Independent Living/Older Blind*



The Education of Blind children Program provides services for children ages birth through 21. The Vocational Rehabilitation Program encompasses transition planning for youth with vision loss and blindness rehabilitation for adults. This program is dedicated to ensuring that BVI individuals are able to obtain meaningful work and be contributing members of society. The Independent Living/Older Blind Program is for adults age 55 and over who need orientation and mobility instruction, vocational rehabilitation, and low vision therapy in order to remain independent.

## --DBVI Education of Blind Children Program--

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- ❖ *Provides assistance to local schools in meeting the needs of 300 BVI students annually.*
- ❖ *Orientation and mobility (O&M) services from DBVI.*
- ❖ *Teachers of the Visually Impaired (TVI) services by contract with Catholic Charities.*
- ❖ *Consultation to staff and families.*
- ❖ *Dept of Labor/MDOE Cooperative Agreement*



DBVI employs a staff of nine Orientation and Mobility Instructors whose basic task is to teach children how to travel safely in familiar and unfamiliar environments. DBVI does not have its own Teachers of the Visually Impaired, but provides these services through a contract with Catholic Charities, which has a staff of 15. TVI's provide specialized instruction, including instruction in Braille, as well as other services and evaluations for BVI students. Consultation services are also provided by O&M instructors and TVI's. DBVI's mandate to provide these services can be found in Maine State statute and in a Dept. of Labor and Maine Department of Education cooperative agreement.

## --DBVI Education for Blind Children Program--

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The Maine statute that established DBVI states that:

- ❖ DBVI shall provide “*assistance* to local schools in meeting the special needs of blind students...”
- ❖ And that “nothing in this section shall relieve SAU’s from fulfilling their responsibilities under” Maine special education law.
- ❖ DBVI provides *assistance*...SAU’s provide *FAPE*



There is an important distinction between what DBVI is required to provide to our students and what SAU’s must provide. The statute makes it clear that DBVI provides “assistance,” while the SAU’s are required to provide “FAPE.” This means, for example, that DBVI and Catholic Charities can legitimately place children on waiting lists for services, something which SAU’s, of course, cannot do. With that as a background, we’ll take a look at the complaint investigation.

-- DRC v. MDOE --  
Systemic Complaint Investigation

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- ❖ January, 2010 letter to Commissioner Gendron:  
“ *...a significant unmet need among Maine’s children who are blind and/or have visual impairment...* ”
  
- ❖ March, 2010 -- Complaint Investigation Report and Corrective Action Plan issued by Commissioner Gendron



The complaint came to Commissioner Gendron in a letter which focused on several issues, including the existence of a waiting list. The commissioner ordered an investigation, and her report and corrective action plan were issued in March, 2010.

**--DRC v. MDOE--**  
**Systemic Complaint Investigation: Findings**

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- ❖ *19 students on waiting list to receive services.*
- ❖ *Some assessments not conducted within regulatory timelines.*



The investigation confirmed that there were 19 students on a waiting list to receive services and evaluations. Some of the students had been on the list for as long as 10 months. In addition, assessments for BVI students were often not completed within regulatory time frames. The corrective action plan required that IEP meetings be held for the 19 students with a DOE representative in attendance, and that the services and evaluations that were needed be arranged for. Those meetings were held, and DBVI and Catholic Charities have worked very hard over the last year to deliver to these students the services and evaluations that had been recommended for them. The one remaining student will come off the list in May, 2011, and at that point this particular list of students who have been waiting for services will be eliminated. However, during the several months during which these students have been coming off this list, other students were going onto a new waiting list, and therefore the “significant unmet need” that the investigation identified last year continues to exist.

## --DRC v. MDOE--

### Systemic Complaint Investigation: Findings

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#### *DOE Stakeholder Workgroup Recommendations:*

- ❖ *Increase TVI staffing from 15 to 19*
- ❖ *Increase TVI salaries*
- ❖ *Add additional O&M instructor*



So why do we have this situation? There are simply not enough TVI's and O&M instructors to meet the needs of all the BVI students in the state. A DOE stakeholder workgroup that met last summer concluded that in order to adequately meet the needs of BVI students, the Catholic Charities staff of 15 would have to be increased to 19, TVI salaries would have to be increased significantly in order to attract more TVI's to the state, and an additional full-time O&M instructor would have to be added to the DBVI staff. DBVI has been lobbying in recent years for the funds that it needs in order to adequately staff its program, but those funds have not been provided. In fact, two years ago the legislature reduced DBVI funding by \$100,000, necessitating a reduction in the TVI staff from 16 to the current level of 15. Also, there is a critical shortage of TVI's nationwide and this no doubt also impacts on DBVI's ability to fulfill its obligation to our students. Nevertheless, if DBVI were properly funded, it is unlikely that there would be students on a waiting list for services today. Having said that, there are a number of things that can be done to improve BVI services even in a climate of fiscal restraint and limited resources, and it is those issues that we turn to now.

## DRC v. MDOE Systemic Complaint Investigation: Findings

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- ❖ *Making team-based eligibility determinations.*
- ❖ *Making service recommendations based on student need, not provider availability.*
- ❖ *SAU obligation to seek evaluations and services outside DBVI.*



The investigation revealed three areas that should be focused on: making sure that eligibility determinations are made by the IEP/IFSP team, not just the TVI; ensuring that service recommendations are based upon student need, rather than provider availability; and making sure that SAU's fulfill their obligation to look for services and evaluations outside DBVI when necessary.

## DRC v. MDOE Systemic Complaint Investigation: Findings

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❖ *Making team-based eligibility determinations.*

*“...regardless of the input from any one provider, it is always the team’s responsibility to make determinations and develop the IFSP/IEP...The team must determine whether the child is eligible to receive services, even if it receives a report that purports to make a determination of eligibility.”*  
(p. 17, CIR)



The above quote comes directly from the complaint investigation report. Of course, what it says is true regardless of whether the report comes from the TVI, the speech pathologist, the occupational therapist, or the physical therapist. However, most IEP members have some familiarity with speech, OT, and PT students, the types of problems they have, as well as the services they receive. On the other hand, they may have little experience with BVI students and may defer to the expertise of the TVI when it's time for the eligibility discussion. Nevertheless, the team must engage the TVI in a dialogue about his or her conclusions and recommendations, and make sure they understand how the BVI student's disability will impact their ability to access the curriculum. At the end of the meeting there must be a sense of shared ownership of the eligibility decision.

## DRC v. MDOE Systemic Complaint Investigation: Findings

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- ❖ *Larger issue: Making TVI and O&M instructors full-fledged members of the IEP/IFSP team.*
  - *Meeting attendance*
    - Goals in the IEP/IFSP*
    - *Ongoing communication*



This connects with a larger issue, which is the importance of making TVI and O&M instructors full-fledged members of the IEP/IFSP team. This begins with ensuring that they are invited to meetings, and that they are given sufficient advance notice of the meetings so they can make plans to attend. For their part, TVI's and O&M instructors must make a concerted effort to attend these meetings, or if this is not possible, to submit written input in advance. It is also essential that TVI and O&M goals be included in the IEP document and that the service they will be providing be listed on the IEP or IFSP. If this is not happening, directors and providers need to work together to ensure that the IEP/IFSP document accurately reflects TVI and O&M participation in the student's program. Finally, making the TVI and O&M instructors full-fledged members of the team doesn't just happen at team meetings. There must be on-going communication between the providers, school staff, and directors throughout the school year.

## DRC v. MDOE Systemic Complaint Investigation: Findings

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- ❖ *Making service recommendations based upon student need, not provider availability.*
  - *Full discussion of need, regardless of the availability of the TVI or O&M instructor.*
  - *If need that can't be provided for, IEP meeting in 30 days.*
  - *Contact DOE to add student's name and unmet need to database.*



The second area of focus involves making service recommendations based upon student need, rather than provider availability. Understandably, it's difficult to have a full discussion of need if the TVI states at the outset that he or she is only available to come to the school, for example, once per month. Team members who believe the student needs to be seen once per week might feel that any further discussion is pointless. Nevertheless, a full discussion of need must be held even in instances where it is apparent that the SAU will be unable to provide for that need. Ascertaining to the best of the team's ability the amount of consultation or direct instruction a student needs is a central pillar of IDEA. Without an accurate recording of need, there is little likelihood that the student will ever receive an appropriate level of service. If the team recommends a level of service that the TVI or O&M instructor is unable to provide, the SAU has 30 days to attempt to procure the service from another source. If no other source is found, the IEP team must meet to develop an alternative plan. The department is also requiring that SAU's contact DOE when this situation occurs, so that we can begin to collect accurate data on the extent of the unmet need in the state.

## DRC v. MDOE Systemic Complaint Investigation: Findings

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❖ *Data collection of unmet needs:*

*Contact Steve Spear at 624-6645 or [steve.spear@maine.gov](mailto:steve.spear@maine.gov)*

- When the recommended service is not available.*
- When the service is delivered at a level that is less than the recommended amount.*
- When an evaluator is not available or the evaluation has not been completed within regulatory time frames.*



SAU's should not wait to have an IEP meeting before reporting this data. If you have a BVI student who is currently not receiving recommended services or assessments, please contact Steve Spear, providing the name of the student and the service or assessment the student is waiting for.

## DRC v. MDOE Systemic Complaint Investigation: Findings

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- ❖ *SAU Obligation to seek evaluations and services outside DBVI.*



If a service or evaluation is not immediately available from DBVI/Catholic Charities, the SAU must look elsewhere. Please see the next slide for a list of resources that will assist SAU's in finding a TVI or O&M instructor.

## DRC v. MDOE Systemic Complaint Investigation: Resources

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*Jean Small, Program Director, ESBVIC, 1-888-941-2855 x 5433*

*John McMahon, Director of DBVI, 1-800-698-4440*

*Northeast Region Center for Vision Education: [www.nercve.org](http://www.nercve.org)*

*--Click on Professional Resources*

*--Employment (post your opening)*

*--Directory of professionals*

*Perkins School for the Blind:*

*--Tom Miller, Program supervisor, 617-972-7331*

*--Ann Barber, Asst.Prog. Supervisor, 978-937-0131*



Ms. Small and Mr. McMahon may know of private providers who are willing to provide services on a part time basis. In addition, the Northeastern Regional Center for Vision Education is an excellent resource for finding these professionals or posting a job opening. This site is discussed in more detail on the next slides.

Home | Northeast Regional Center for Vision Education

www.nercve.org/

**NERCVE** Northeast Regional Center for Vision Education  
Improving Education for Individuals with Visual Impairments.

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Kat Boisvert, UMass Vision Studies Adjunct Faculty, Featured in World Teach Alumni News Letter

03/24/2011  
Delta Gamma Scholarship to attend the Josephine L. Taylor Leadership Institute

03/22/2011  
APH "Meeting of the Minds"

01/26/2011  
NERCVE VRT Student wins AFB Scholarship!

10/20/2010  
Annual NERCVE Harbor Cruise.

10/02/2010  
NERCVE to Support the Critical Need for Vision Personnel in the Western Pacific Region

10/01/2010  
India on the Move!

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- Professional Communication
- NEAER
- N.H. Professional Development Center for Vision Education
- Summer Training
- On The Job Teaching Assistants - One Week Only

**Jobs**

Title	Location
Adaptive Physical Therapy - Part-Time	Watertown, MA
Summer Teaching Assistant	Watertown, MA
On The Job Teaching Assistants - One Week Only	Watertown, MA

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**Training Center**

Recently Posted Trainings

Title	Location
Low Vision Workshop	Newton, MA
Genetics & Visual Disorders: Bardet-Biedl	Watertown, MA
Independent Living Series: Self Care	Watertown, MA

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**Sustaining Braille Proficiency**

Exciting new independent, self-paced study is designed to address the on-going need of dedicated vision professionals to maintain skills with the Literary and Nemeth Braille Codes.

Available Courses:  
Sustaining Braille Proficiency - **Literary** (Breeze).  
Sustaining Braille Proficiency - **Nemeth** (Breeze).

[Sustaining Braille Proficiency, Learn More.](#)

**Join the Discussion**

Join the NERCVE list serv and learn and shared ideas with other vision professionals in New England. To participate, simply send an email to [nercve@lists.umb.edu](mailto:nercve@lists.umb.edu) (**you must join first.**)

Name:

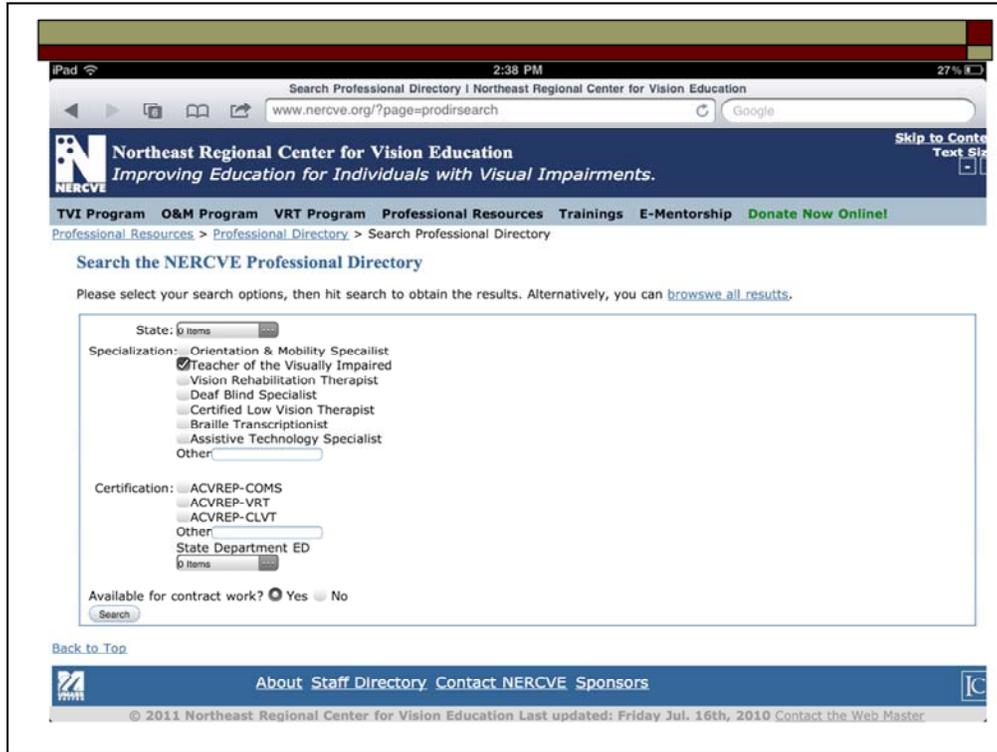
E-mail:

**Join the Network**

Create a profile in the NERCVE professional directory and help create a comprehensive directory of vision professionals in the New England region, so other like minded professionals, organizations, or consumers seeking vision professionals can easily locate a professional near them.

[Join the Directory](#) | [Find a Professional near you!](#)

On the home page, go to Professional Resources, then click on Professional Directory.



Clicking on Professional Directory will take you to a search engine where you can enter what you are looking for. Click "Search," and a large list of TVI's and O&M instructors from all over New England will be shown, with their contact information.

Home | Northeast Regional Center for Vision Education

www.nercve.org/

**NERCVE** Northeast Regional Center for Vision Education  
Improving Education for Individuals with Visual Impairments.

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[Join the Directory](#) | [Find a Professional near you!](#)

Return to the home page and click on "Employment."

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**NERCVE** Northeast Regional Center for Vision Education  
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### Welcome to the NERCVE Employment Center!

Use the following links to access the NERCVE Employment Center.

- [Post a Job](#)
- [Search Jobs](#)

Job seekers from across the country are welcome to search our job database and post a professional profile which will be viewable to potential employers from our online employment resource center. Employers from across the country are welcome to post job openings directly to our database and review the Professional Profiles of potential candidates for jobs they are seeking to fill at their organization.

The NERCVE National Employment Resource Center is a central career resource and job search center designed specifically for five Low Incidence Disability Educational Specialists who provide support to people with Visual Impairments: Teachers of the Visually Impaired, Orientation and Mobility Specialists, Low Vision Therapists, Vision Rehabilitation Therapists and Deaf/blind Specialists. Job Postings and profiles must reflect one of these required fields of concentration.

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This takes you to a page where you “Post a job.”

## DRC v. MDOE Systemic Complaint Investigation: Resources

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The Perkins School for the Blind is also an excellent resource.

-- DRC v. MDOE Systemic Complaint Investigation--  
Training Follow-up

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- ❖ *Follow-up IEP and IFSP meetings by December 16, 2011*
- ❖ *Send Written Notice and IEP (only if revised or amended) to:*

*Maine Department of Education  
ATTN: Steve Spear, Due Process Consultant  
23 State House Station  
Augusta, ME 04333-0023*



SAU's who have BVI students must follow up this training by holding IEP/IFSP meetings on these students. The purpose of the meeting is to review the IEP/IFSP to ensure that needs are accurately reflected in the document and that services are being provided. Annual reviews and program reviews will fulfill this requirement, but if there are no plans to hold a meeting for a student prior to December 16, 2011, a meeting will have to be held in order to meeting this requirement.



## *Providing Services for Blind and Visually Impaired Students – Q&A*

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1. What is an O&M instructor?

Orientation and Mobility instructors are certified professionals who help blind or visually impaired students learn how to travel safely in familiar and unfamiliar environments. They also conduct evaluations and provide consultation services. The Division for the Blind and Visually Impaired (DBVI) provides O&M services throughout the state.

2. What is a TVI?

Teachers of the Visually Impaired are certified professionals who provide specialized instruction to blind or visually impaired students, including instruction in Braille when appropriate, as well as a variety of other services designed to help students access the curriculum. They also conduct evaluations and provide consultation as needed. DBVI contracts with Catholic Charities to provide TVI services throughout the state.

3. What is DBVI?

The Division for the Blind and Visually Impaired is housed in the Bureau of Rehabilitation Services at the Maine Department of Labor. DBVI is responsible for providing evaluations and services to BVI children ages birth to 21. DBVI is required by statute to "assist" the districts in the provision of these services, but it is not required to provide a free, appropriate public education (FAPE). The obligation to provide FAPE rests with the SAU's.



## *Providing Services for Blind and Visually Impaired Students – Q&A*

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4. What is Catholic Charities ESBVIC?

Education Services for Blind and Visually Impaired Children is the program through which Catholic Charities fulfills its contractual obligation to provide services and evaluations for blind and visually impaired students throughout the state.

5. What is the deadline/timeline for functional vision assessments and O&M evaluations?

FVA's and O&M evaluations must be conducted in accordance with the regulatory requirements found in MUSER.

6. What does IMC stand for?

Instructional Materials Center (see address below)



## *Providing Services for Blind and Visually Impaired Students – Q&A*

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7. Is there a place where we can send Braille books that are no longer needed?

Send them to: Instructional Materials Center/Hill Mansion  
ATTN: Sharon Thompson  
136 State Street  
Augusta, ME 04330  
Phone: 620-3220

8. What about CDS kids coming in? Will CDS order those books by May 1?

BVI students who are transitioning into kindergarten should have their transition meetings prior to May 1 so that the receiving SAU can order their instructional materials in a timely fashion.



*Providing Services for Blind and Visually  
Impaired Students*

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This concludes the required portion of the training. The additional slides provide information regarding Catholic Charities services for BVI students, as well as accessible instructional materials.

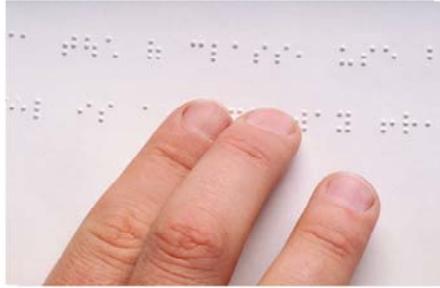
To document that you have participated in this mandatory training, please email Steve Spear at [steve.spear@maine.gov](mailto:steve.spear@maine.gov). Use **Training** as the subject, and provide your name and district.

*Thank you!*

The slides that follow have useful information regarding the Catholic Charities program Education Services for Blind and Visual Impaired Children (ESBVIC) and accessible instructional materials (AIM). You will also find contact information for staff members who can answer a wide variety of questions regarding BVI students and the services they need.

## Education Services for Blind and Visually Impaired Children (ESBVIC)

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# Department of Labor, Research, and Economic Development

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**-- Division for the Blind --**  
Orientation and Mobility Instructors  
Vocational Rehabilitation Counselors  
Educational Consultants

**-- Catholic Charities of Maine --**  
Teachers for the Visually Impaired

**-- The Iris Network --**  
Vision Rehab Therapists  
Adjustment to Blindness Counselor  
Low Vision Clinic

# ESBVIC

- ❖ Provides services throughout the state of Maine
- ❖ Serves blind and visually impaired children birth-21 years old or the completion of high school
- ❖ Operates the Instructional Materials Center, which coordinates access to braille, large print, and other instructional materials used with students who are braille and large print learners





## Referral Process

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- ❖ Parent, school or other provider may request a referral packet by calling 1-207-620-3220 or 1-877-621-8520 x5420
- ❖ Supervisor reviews packet, which must include an eye doctor's report for basic eligibility for the program
- ❖ If it appears that the student may qualify, a Functional Vision Assessment (FVA) is scheduled



## Referral Process continued...

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- ❖ Once the FVA is complete, recommendations are made to the team (IEP, IFSP, 504) regarding eligibility and services needed.
- ❖ The team develops the plan, to include the type and amount of service to be provided by the TVI
- ❖ The IEP, IFSP, or 504 plan should include recommendations for the needed modifications and accommodations

## In Summary

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We serve students with the most severe visual impairments, and several things are considered in determining eligibility, including etiology, stability, and impact of the visual impairment. Most students we serve have a visual acuity of 20/70 or worse with **best correction**.



## Instructional services could include:

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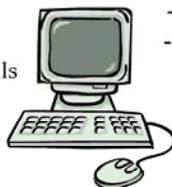
- ❖ Instructional strategies to facilitate learning in blind/visually impaired children
- ❖ Selection and/or modification of specialized curriculum
- ❖ Braille instruction
- ❖ Low vision training



## Instructional services continued....

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- ❖ Instruction in the use of adapted equipment
- ❖ Concept development
- ❖ Skills within the Expanded Core Curriculum, which are those skills which are unique to students with visual impairment:
  - social skills
  - communication skills
  - career development
  - self advocacy
  - sensory efficiency skills
  - assistive technology
  - independent living skills
  - recreation and leisure activities
  - orientation and mobility (may be provided through DBVI)



## Ordering Textbooks for Braille and Large Print Learners

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- ❖ Determination of need and type of format for each book (done by teacher, student, and TVI)
- ❖ School selects books and provides information needed for upcoming school year by May 1
- ❖ School provides the name of the text, author, publisher, ISBN#, and copyright date to the TVI



## Ordering Textbooks continued....

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- ❖ TVI completes the book order form and submits to the IMC Coordinator
- ❖ The IMC Coordinator researches availability of the books and determines if it is:
  - part of the IMC collection (no cost to school)
  - available to be ordered from the American Printing House for the Blind (APH) (no cost to school)



## Ordering Textbooks continued...

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-available through other sources (school will need to order and purchase)

If the book is not available anywhere else, it may be produced by APH (certain requirements will apply).





## -- Key Points --

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- ❖ TVI's want and need to be a part of the team. Early notification of IEP meetings is critical since TVI's often serve a large geographical area and may carry caseloads of 20 students or more.
- ❖ Services from the TVI need to be identified in the IEP, IFSP, or 504 plan.
- ❖ In order for students to get their books in a timely manner, book orders **must** be in no later than May 1<sup>st</sup>.

## If you have questions contact:

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- ❖ Jean Small, Program Director, ESBVIC  
299-1933
- ❖ Nancy Moulton, ESBVIC Southern  
Maine Regional Supervisor  
592-4760



## *Accessible Instructional Materials (AIM) and I.D.E.A. - Overview*

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-- AIM-Braille

-- Large Print

-- Audio

-- Digital Text



## *Accessible Instructional Materials (AIM) and I.D.E.A. - Purpose*

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- ❖ Materials to students with disabilities in a timely manner.
- ❖ National effort to reduce time it takes to produce books.



## *Accessible Instructional Materials (AIM) and I.D.E.A. - Definitions*

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- ❖ Timely manner
- ❖ Print disability\*
  - ❖ I.D.E.A. definition
  - ❖ Functional definition



## *Accessible Instructional Materials (AIM) and I.D.E.A.*

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*-- Ways Schools Can Improve Access to Materials --*

- ❖ *Bookshare membership*
- ❖ *Lists of all textbooks to Bookshare*
- ❖ *Learning Ally membership (formerly RFB&D)*
- ❖ *Copies of all textbooks to Learning Ally*
- ❖ *Opt in to coordinate with NIMAC on Local Entitlement Application*  
*--Authorized Users in Maine*
- ❖ *Add language to textbook purchasing documents*
- ❖ *Order textbooks in Braille prior to May 1*



## *Accessible Instructional Materials (AIM) and I.D.E.A.*

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-- Individual Education Team Resource Decision-making --

<http://aim.cast.org/navigator/page/132>

-- AIM Resources --

Maine: [www.maine-aim.org](http://www.maine-aim.org) and [www.mainecite.org](http://www.mainecite.org) or  
<http://maine.gov/educationspeced/atlinks.htm>

National: <http://aim.cast.org/>

