

(C) distributing materials described in subparagraphs (A) and (B) through such mechanisms as a loan service; and

(D) providing free educational materials, including textbooks, in accessible media for visually impaired and print disabled students in elementary schools and secondary schools, postsecondary schools, and graduate schools.

(2) **Limitation.** The video description, open captioning, or closed captioning described in paragraph (1)(B) shall be provided only when the description or captioning has not been previously provided by the producer or distributor, or has not been fully funded by other sources.

(d) Applications.

(1) **In General.** Any eligible entity that wishes to receive a grant, or enter into a contract or cooperative agreement, under subsection (b) or (c) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(2) **Special Rule.** For the purpose of an application for an award to carry out activities described in subsection (c)(1)(D), such eligible entity shall -

(A) be a national, nonprofit entity with a proven track record of meeting the needs of students with print disabilities through services described in subsection (c)(1)(D);

(B) have the capacity to produce, maintain, and distribute in a timely fashion, up-to-date textbooks in digital audio formats to qualified students; and

(C) have a demonstrated ability to significantly leverage Federal funds through other public and private contributions, as well as through the expansive use of volunteers.

(e) National Instructional Materials Access Center.

(1) **In General.** The Secretary shall establish and support, through the American Printing House for the Blind, a center to be known as the **National Instructional Materials Access Center** not later than 1 year after the date of enactment of the Individuals with Disabilities Education Improvement Act of 2004.

(2) **Duties.** The duties of the National Instructional Materials Access Center are the following:

(A) To receive and **maintain a catalog of print instructional materials** prepared in the National Instructional Materials Accessibility Standard, as established by the Secretary, made available to such center by the textbook publishing industry, State educational agencies, and local educational agencies.

(B) To provide **access to print instructional materials**, including textbooks, in accessible media, free of charge, **to blind or other persons with print disabilities in elementary schools and secondary schools**, in accordance with such terms and procedures as the National Instructional Materials Access Center may prescribe.

(C) To develop, adopt and publish procedures to protect against copyright infringement, with respect to the print instructional materials provided under Sections 1412(a)(23) and 1413(a)(6).

(3) **Definitions.** In this subsection:

(A) **Blind or Other Persons with Print Disabilities.** The term ‘**blind or other persons with print disabilities**’ means children served under this Act and who may qualify in accordance with the Act entitled ‘An Act to provide books for the adult blind’, approved March 3, 1931 (2 U. S. C. 135a; 46 Stat. 1487) to receive books and other publications produced in specialized formats.

(B) **National Instructional Materials Accessibility Standard.** The term ‘**National Instructional Materials Accessibility Standard**’ means the standard established by the Secretary to be used in the preparation of electronic files suitable and used solely for efficient conversion into specialized formats.⁵

⁵ The National Instructional Materials Accessibility Standard (NIMAS) provides a system to produce and distribute digital versions of textbooks and other instructional materials that can be converted to accessible formats. IDEA requires that all textbooks and supplemental curricular materials be provided as NIMAS files by mid-December 2006. The American Printing House for the Blind is the coordinating agency and the Center for Applied Special Technology (CAST) is providing technical support. See also Section 1412(a)(23)