

Del Roberts hb1076.pdf

Uploaded by: Denise Roberts

Position: FAV

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Ways and Means Committee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

I extend my sincere gratitude for the opportunity to address you today and present testimony in support of House Bill 1076. This bill is crucial in ensuring equitable access to education for all blind and visually impaired students across Maryland, particularly concerning their timely access to textbooks and instructional materials at the onset of each academic year, aligning their educational opportunities with those of their sighted peers.

As of present, there are approximately 1,600 blind and low-vision students enrolled in K-12 education within Maryland. Many of these students require textbooks provided in formats other than standard print, such as large print or Braille, to effectively engage with their learning materials.

In acknowledgment of this need, the Maryland General Assembly enacted the Braille Literacy Rights and Education Act in 1992, mandating the coordination of alternate format textbooks by the Maryland State Department of Education (MSDE). The establishment of the Maryland Instructional Resource Center (MIRC) was a significant step, serving as a centralized hub for storing and disseminating alternative format textbooks to Local Education Agencies (LEAs) statewide.

However, despite legislative efforts, challenges persist. While the 2006 legislation aimed to facilitate the acquisition of textbooks in alternative formats, the financial responsibility for

production falls on the initial requesting LEA. Consequently, some LEAs opt not to incur these costs, leading to disparate access to educational materials based on geographic location within the state.

Compounding this issue, the production process for alternative format textbooks is intricate and time-consuming. Conversion from standard print to formats such as Braille or large print necessitates specialized expertise and meticulous quality control measures. Delays often arise due to the unavailability of textbooks in electronic formats or the cumbersome process of requesting NIMAS versions from publishers.

As a result, blind and low-vision students frequently experience significant delays or complete lack of access to essential textbooks, placing them at a severe educational disadvantage compared to their sighted peers.

House Bill 1076 presents a proactive approach to address these disparities through three key amendments to existing legislation:

1. **Financial Coverage for Alternative Format Production:** The bill mandates that if instructional materials are unavailable in specialized formats at MIRC or through other means, Maryland State Department of Education must cover the costs of producing materials in Braille or large print.

2. **Establishment of Textbook Selection Deadline:** LEAs will be required to finalize textbook selections for the upcoming school year by January 15th, providing ample time for procurement and production of alternative format textbooks.
3. **Publisher Requirement for NIMAS Format:** Publishers selling textbooks to Maryland entities must provide electronic NIMAS formats at the time of purchase, streamlining the production process and ensuring timely access to materials.

Additionally, HB1076 includes metrics reporting requirements to enhance transparency and accountability regarding the provision of accessible materials to blind and low-vision students.

In essence, this bill represents a fundamental step towards ensuring educational equity for all Maryland students, regardless of visual impairment. By closing existing loopholes and streamlining processes, HB1076 aims to provide blind and low-vision students with the same opportunities for academic success as their sighted counterparts.

I urge the committee's favorable consideration and support for House Bill 1076. Thank you for your attention to this critical matter.

Respectfully,

Delegate Denise Roberts

EACtestimony.SB1091.pdf

Uploaded by: Leslie Margolis

Position: FAV

Education Advocacy Coalition

for Students with Disabilities

SENATE EDUCATION, ENERGY, AND ENVIRONMENTAL AFFAIRS COMMITTEE

SENATE BILL 1091: Education—Blind and Visually Impaired Students—Textbook Equity

DATE: FEBRUARY 23, 2024

POSITION: SUPPORT

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of more than 40 organizations and individuals concerned with education policy for students with disabilities in Maryland, is pleased to support Senate Bill 1091, which would ensure that students who are blind or visually impaired would have timely access to the textbooks and supplementary instructional materials used by their sighted peers in class. The goal of Senate Bill 1091 is to ensure equity for students who are blind or visually impaired. Currently, students may not get their textbooks on time or ever because local school boards do not make decisions about which textbooks to use until it is too late to get the books transcribed into accessible media or because local school boards cannot or will not pay to have the textbook transcribed into accessible media.

The legislation would require that publishers send an electronic file of every pupil edition textbook sold in Maryland to the National Instructional Materials Access Center (NIMAC) in NIMAS (National Instructional Materials Access Standard) form. NIMAC will store the files for use in production of the books. Additionally, the bill requires local boards of education to decide by January 15th of each year which textbooks they will use the following school year, and requires the Maryland State Department of Education to purchase any book that will be used if the Maryland Instructional Resource Center (MIRC) does not have the book or cannot locate it.

With these steps, Maryland can ensure that its students who are blind and visually impaired have the opportunity to participate in class with the same instructional materials and textbooks as their peers. For this reason, the EAC strongly supports Senate Bill 1091.

Please contact Leslie Seid Margolis at lesliem@disabilityrightsmd.org or 443-692-2505 with any questions.

Respectfully submitted,

Selene Almazan, Selene Almazan

Rene Averitt-Sanzone, The Parents' Place of Maryland

Linda Barton, MSED, Education Consultant

Elizabeth Benevides, Autism Society of Maryland, Co-Chairperson

Ellen A. Callegary, J.D.

Ariannwyn Carver, Mallory Legg, Maureen van Stone, Tyler Cochran, Project HEAL at Kennedy
Krieger Institute

Rich Ceruolo, Parent

Michelle Davis, M.Ed., ABCs for Life Success

Lisa Frank, Andrea Bennett, Jen Ritchotte, and Amy Tonti, Special Kids Company

Kimberly Glassman and Brian Gruber, Law Office of Brian K. Gruber

Marge Guldán and Rosemary Kitzinger, Bright Futures, LLC

Beth Ann Hancock, Charting the Course, LLC

Nicole Joseph and Kate Raab, Law Offices of Nicole Joseph

Ande Kolp, The Arc Maryland

Leslie Seid Margolis, Disability Rights Maryland, Co-chairperson

Mark B. Martin, Law Offices of Mark B. Martin

Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center

Ronza Othman, National Federation of the Blind of Maryland/Maryland Organization of Parents
of Blind Children

Maria Ott, Attorney

Rebecca Rienzi, Pathfinders for Autism

Jaime E. Seaton, BGS Law

Kelly Spanoghe, Education Consultant

Ronnetta Stanley, M.Ed., Loud Voices Together

Wayne Steedman, Steedman Law Group, LLC

Liz Zogby, Maryland Down Syndrome Advocacy Coalition

Additionally, the Maryland Education Coalition also signs on to this testimony.

SB 1091

Uploaded by: Naudia Graham

Position: FAV

Support for HB1076

To: Senate Education, Energy, and Environment Committee

From: Naudia graham, 8535 Harvest View Ct, Ellicott City, MD, 21043

naudia.graham@icloud.com

Date: February 23, 2024

Please support SB1091, a bill to improve procedures to get blind K-12 students their textbooks. I attend Centennial High School, and I am a senior. This year, I took Statistics. As you know, today is February 23, and from September to now, I did not receive a textbook. I assume the county did not want to pay for the transcription of it into braille. Instead, the vision program is putting the textbook online for me. Much of the time, chapters come out late. The scanner makes mistakes, especially regarding formulas. If the publisher of a textbook purchased in Maryland gave an electronic copy, as the bill requires, I would get my textbook without errors, and on time. Please vote in favor of this bill, so that we can get a textbook without mistakes and in time to do the required work.

SB 1091

Uploaded by: Riley Sanders

Position: FAV

Subject: Favorable SB1091 Textbook Equity for Blind Students Act

Date: February 23, 2024

To: Senate Education, Environment and Energy Committee

From: Dominique Sanders

6616 Danville Ave. Baltimore, MD 21224

Email : dominiqueg1988@gmail.com

Please vote in favor of SB1091 because my daughter deserves the same equitable education as her sighted peers.

My daughter's name is Riley, she attends Cockeysville Middle School, and she is in sixth grade. Over the years, Riley has had difficulty getting some of her textbooks on time, such as math. Consequently, she frequently cannot do the homework at the same time as her sighted peers, she must wait for the vision teacher to braille it for her. Sometimes, Riley is exempt from the homework altogether. She must take her tests later than her peers and does not have the opportunity to study all the material. I am concerned about the mixed messages that the teachers are giving Riley. They are allowing her to skip homework or to do it late which is a terrible precedent to set for Riley's future in employment. Do you ever tell your boss that the work must be late? Do you tell your boss the tasks that you must skip? Of course not. Riley should not have to develop bad habits because the school system is not providing her with her textbooks or instruction materials on time.

Please vote in favor of SB1091 so that Riley and other blind students can receive an equitable education. The solutions proposed in this bill will go a long way in solving the problems that blind students face in getting their textbooks and instructional materials.

SB 1091

Uploaded by: Rob Hair

Position: FAV

Written Testimony

Bill: SB1091 Education - Blind and Visually Impaired Students - Textbook Equity

Date: February 21, 2024

To: Brian J. Feldman and Members of the Senate Education, Energy, and Environment

Committee

Dear Chair Feldman and Honorable Members of the Committee,

My name is W. Robert Hair, and I am the Superintendent of The Maryland School for the Blind. With great respect and urgency, I submit this testimony in support of SB1091, Education - Blind and Visually Impaired Students - Textbook Equity. This legislation is critical for addressing the significant challenges that students with visual impairments encounter in accessing equitable educational resources. I am grateful for the opportunity to share our insights and experiences, particularly focusing on the braille textbook ordering aspect of this bill.

The Maryland Instructional Resource Center (MIRC) at The Maryland School for the Blind, a partnership between the Department of Education and our institution, plays a pivotal role in this endeavor. MIRC is a central hub for providing accessible educational materials and support to students with visual impairments across Maryland. It maintains an extensive library of specialized materials, including braille books, tactile graphics, and educational kits, available for loan to students and educators. Furthermore, MIRC produces and distributes a wide array of accessible materials, such as braille, large print, and digital textbooks, to ensure that students with visual impairments have equal access to the curriculum. Additionally, MIRC is responsible for ordering braille books on behalf of local educational agencies to meet the educational needs of these students.

Braille textbooks, particularly for subjects like math, can be prohibitively expensive, potentially exceeding \$20,000 to \$50,000 for a single copy. This places a significant financial burden on local school systems responsible for funding these essential resources. While MIRC exists to house and protect these expensive textbooks for student use, the financial responsibility for acquiring these books ultimately falls on the local school system. This can lead to challenges in providing equitable education for students with visual impairments, as local school systems may be forced to decline purchasing braille textbooks due to budget constraints. As a result, students may receive a haphazard presentation of materials, using magnifiers or receiving only small portions of the text in braille, which can significantly impact their learning.

A recent incident underscores the challenges local educational agencies face in providing accessible materials for students with visual impairments. A request for a braille textbook intended for the 2024-2025 school year is currently pending due to budgetary considerations, requiring approval from higher authorities. This delay in approval not only puts the availability of the textbook at risk but also has direct implications for the student's education. If the request is ultimately canceled due to cost constraints or if the braille production process is significantly delayed, the student may not receive their braille materials in a timely manner, hindering their ability to keep pace with their classmates and fully participate in the learning process.

In another situation, due to a delayed decision regarding the math curriculum by the local school system, the approval for textbook purchases was finalized in late June. Although our braille vendor has been working diligently to produce these textbooks, they are not able to keep pace with the classroom schedule. Consequently, by the time the braille textbooks arrived, the classes had progressed beyond the units covered in the volumes produced. This unfortunate delay left several of the braille-reading students without their necessary math textbooks when they are needed most in the classroom.

As a result, our Teachers of the Visually Impaired (TVIs) were compelled to spend valuable instructional time transcribing braille materials and creating tactile graphics for these students. It is important to note that this LEA was still paying for the cost of braille transcription, even though the student had not received the textbook when needed in the classroom. This cycle is repeated most school years by one LEA or another, directly related to the late curriculum decisions being made by LEAs. This further emphasizes the need for SB1091 to ensure timely and equitable access to educational materials for students with visual impairments.

In conclusion, SB1091 Education - Blind and Visually Impaired Students - Textbook Equity is a vital legislative effort aimed at ensuring that students with visual impairments receive equitable access to educational materials. By addressing the challenges of high costs, delayed production, and the resulting educational disparities, this bill seeks to create a more inclusive learning environment. It underscores the importance of providing timely and accessible textbooks to support the academic success and full participation of blind and visually impaired students in the educational system. I urge the committee to support this bill and help ensure that all students have the resources they need to succeed.

Sincerely,

W. Robert Hair
Superintendent
The Maryland School for the Blind

Othman SB1091 Textbook Equity Testimony.pdf

Uploaded by: Ronza Othman

Position: FAV



Live the life you want.

Subject: Favorable Textbook Equity for Blind Students Act

Date: February 23, 2024

To: Senate Education, Energy, and Environment Committee

From: Members of the National Federation of the Blind of Maryland

Ronza Othman, President

National Federation of the Blind of Maryland

15 Charles Plaza, #3002, Baltimore, MD 21201

Phone: 443-426-4110

Email: President@nfbmd.org

THE PROBLEM

Blind students do not have an equitable education because they do not get their textbooks and supplementary instructional materials in a timely manner. Sometimes, they do not get them at all.

PROPOSED ACTION

The Senate Education, Energy, and Environment Committee should pass SB1091 Textbook Equity for Blind Students Act. This bill will require: 1) county boards of education to make their decisions about which textbooks to use for the coming school year by March 15; 2) the Maryland State Department of Education to purchase the book if the Maryland Instructional Resource Center (MIRC) does not have it or cannot locate it; and 3) publishers of pupil edition textbooks to send an electronic file in the National Instructional Material Access Standards Format (NIMAS) for any book purchased in Maryland.

BACKGROUND

In 1992, the Braille Literacy Rights and Education Act was enacted into law. This bill required the Maryland State Department of Education (MSDE) to coordinate the availability of textbooks in accessible media, including Braille and large print, for blind students. The result was the establishment of the Maryland Instructional Resource Center. All the local education agencies agreed to store their books at the MIRC and to allow the MIRC to give the books to other counties if they were needed. In 2006, legislation was enacted to help with the acquisition of textbooks that were not produced in accessible media. Problems remain because counties do not make their decisions about which textbooks to use in the coming year early enough to have the book transcribed into accessible media.

Currently, if the MIRC does not possess a given textbook, it will tell the county boards the cost to produce it in the needed format. Many counties either cannot afford or will not pay to have the textbook produced in the needed alternate format, so the blind student is left without a textbook. The 2006 legislation said that MSDE should collaborate and support the MIRC, but action must be taken to solve the problem of acquiring textbooks. If blind students are to have an equitable education, the MSDE should fund the production of books.

The 2006 law also called on publishers to give an electronic file in the NIMAS format if they were asked to do so. This language doesn't work because the burden is on counties to ask publishers for the book, and they do not do so. Therefore, the 2006 law needs to be updated and strengthened to meet these needs and to take advantage of advances in technology.

BENEFITS OF THE PROPOSED LEGISLATION

The legislation assigns specific functions to MSDE and the publishers. MSDE has been supporting the MIRC since its inception, but additional support is needed when counties do not pay for the cost of production of textbooks and instructional materials. The goal of MSDE is to provide equity throughout Maryland. Blind students should not be denied access to instructional materials because of where they live.

The proposed bill will require that publishers send an electronic file in the NIMAS format of every pupil edition textbook sold in Maryland to the National Instructional Materials Access Center, beginning in 2025. The National Instructional Materials Access Center will store these files for use in the production of the books. This should not be a burden on publishers because of advances in technology and software applications. Many publishers are even able to provide math and science books for translation and production. While the translation of math and science books into Braille certainly is not perfect, it has improved since 2006.

The legislation will provide greater accountability to the entire process of acquiring access to books and other instructional materials. The MIRC will be required to report yearly to MSDE on the accessibility and delivery of textbooks and supplementary instructional materials including the number of requests that cannot be filled and why, and on the number of electronic files delivered to the National Instructional Material Access Center by publishers. MSDE will be required to put the data provided by the MIRC on its website for public review. The department will also be required to provide a report yearly to the Governor and General Assembly concerning whether blind students are gaining equitable access to instructional materials.

CONCLUSION

The problem of providing blind students with access to the curriculum is yet to be solved because of issues with access to textbooks and supplementary instructional materials. County Boards of Education must be required to make their decision about which textbooks and supplementary instructional materials will be used in the coming school year early enough so that there is time to produce these materials. The general assembly and MSDE have attempted to provide access, but those attempts are not enough. It is time to update the 2006 law. This legislation will assign specific responsibilities to the local education agencies and to MSDE. Publishers must play a role in providing an electronic file in the NIMAS format to the National Instructional Materials Access Center because of the time and money that will be saved by having the file. Enforcement of the law is most important. The accountability measures in the bill will make enforcement possible. Blind students are entitled to receive their textbooks and supplementary instructional material at the same time as their sighted peers. They should not be penalized because of the area of the state they live in. It is time to provide blind students with an equitable education. Please vote in favor of SB1091.

SB 1091.Vision Accessible Textbooks by MIRC.pdf

Uploaded by: John Woolums

Position: FWA

BILL: Senate Bill 1091
TITLE: Education - Blind and Visually Impaired Students - Textbook Equity
POSITION: SUPPORT WITH AMENDMENTS
DATE: February 23, 2024
COMMITTEE: Education, Energy, and the Environment
CONTACT: John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE) supports Senate Bill 1091 to ensure accessibility for vision-impaired students to textbooks and other instructional materials. To be clear, MABE firmly believes that school systems are providing the access called for in this legislation. However, if the legislature believes that greater assurances are needed to guarantee the timely availability of accessible textbooks, then passage of this legislation could advance that cause.

The amendment MABE has identified as needed in the bill relates specifically to the arbitrary and overly broad requirement that all textbooks be elected by January 15th of each year. Removing this provision would continue to drive the mission of the bill to have school systems, the Maryland State Department of Education (MSDE), and the Instructional Resources Center, collaborate to ensure the identification and production of accessible materials for all students. Specifically, MABE requests an amendment to strike lines 10 through 12 on page 4 of the bill.

MABE joins all local school systems in the commitment to each student, regardless of disability, having access to challenging instruction from highly qualified professionals that addresses their unique learning needs and differences. Clearly, access to materials that have been converted to formats including Braille and large print makes sense as integral to the learning potential of students with vision challenges.

For this reason, MABE supports the passage of this legislation, with the amendment described above.

SB1091 - Letter of Information (MSDE).pdf

Uploaded by: Dr. Carey Wright

Position: INFO

their peers. Following the passage of the Blind Students' Literacy Rights and Education Act in 1992, the Maryland State Department of Education (MSDE) developed procedures to coordinate the statewide availability of textbooks and supplemental instructional materials for students that are blind or low vision, and in 1996, MSDE began a partnership with the Maryland School for the Blind (MSB) and Local Education Agencies (LEAs) to establish the Maryland Instructional Resource Center (MIRC) for Students with Visual Impairments.

MSDE appreciates that the proposed language of the bill does not reduce any funding for our partners at the MIRC, who are guaranteed \$150,000 of state funding, and under the current MOU, the MIRC may receive funding at up to \$500,000 annually to deliver appropriate instructional materials to Maryland's Blind and Visually Impaired students.

Under current law, MSDE may provide funding to other providers of Braille and Large Print materials as required by Maryland's students' needs. This leads to one of several areas of concern with this bill, which is language that expands the role of the MIRC and limits the ability for the Department to pursue other alternatives for producing instructional materials to meet the needs of Blind and Visually Impaired students. In naming the MIRC specifically in these new components of SB1091, the bill will legally make the MIRC the sole provider of Braille and accessible materials in Maryland. This bill could limit MSDE's flexibility in pursuing other avenues and options to provide funding to other producers to produce Braille and Large Print materials for students at reduced costs and expenditures for the Agency and State. Lastly, this bill would set a new, unnecessary precedent in requiring the Department to pay for accessible materials for students if an LEA selects a textbook that does not include access to a specialized format, which has historically been a fiscal responsibility of the LEAs. Currently, LEAs are responsible for providing their students with the materials needed to access their Free Appropriate Public Education or FAPE, and if passed, SB1091 introduces a new dynamic to that procurement structure.

The most significant impact of this bill will be the new requirement for all LEAs to determine their instructional materials by January 15th. We recognize that this timeline will be difficult for school systems to implement, as decisions about curriculum are not typically made until spring and summer due to a myriad of factors such as staffing, enrollment, credit requirements, and student programming. Before making an unprecedented state-wide decision about curricular timelines, additional feedback should be solicited from local superintendents and school leaders who can speak about how this deadline would impact their system's annual operations.

To reiterate, The Maryland State Department of Education fully supports the intent behind this bill, which is ensuring that Blind and Visually Impaired students have equitable access to textbooks and learning materials. MSDE's current expanded funding to the MIRC, which equates to \$350,000 more than what the Department is required to provide by law, reflects our commitment to that access. However, we strongly urge the committee to consider the Departments concerned related to SB1091, which seeks to put measures into law without concrete data on the number of unfulfilled NIMAS requests or a robust root cause analysis between MSDE and the MIRC on the reason for unfulfilled requests.

MSDE seeks to reaffirm that denying a student access to the materials required by their IEP may result in a denial of FAPE. In instances where a family feels their student's educational rights have been violated, there may be an increase in special education litigation at the local or county level because of delays in implementation.

We respectfully request that you consider this information as you deliberate **SB1091**. For further information, please contact Dr. Akilah Alleyne at 410-767-0504, or Akilah.alleyne@maryland.gov