



Students With Print Disabilities Eligible Under the Copyright Act As Amended (Chafee Amendment)

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A student with a print disability is one who is unable to gain information from **printed materials** and needs a specialized format (i. e., Braille, large print, audio, digital text) to access that information (accessible instructional materials). Eligible students* are:

1. Students with visual impairments that keep them from reading standard print (blind, legally blind, or with other functional vision limitations).
2. Students with physical disabilities that prevent them from reading print or using a print book or without the ability to hold or manipulate information in printed form or not able to focus or move their eyes. Such a limitation could be a result of a spinal cord injury, cerebral palsy, traumatic brain injury, a neurological condition, etc.
3. Students with a reading disability based on an organic dysfunction which keeps them from being able to effectively read standard print. The reading disability must be of sufficient severity to prevent reading regular or standard printed materials in a normal manner. The cause of the reading disability must be physically based, that is, it must be an organic dysfunction and the person certifying the reading disability must be medically** able to judge whether the disability has a physical or organic basis.

Who does not qualify as having a print disability?

- y Students who do not speak the language they want to read.
- y Students with disabilities that do not impact the ability to read (for example, most hearing and behavioral disabilities).
- y The following groups of students are not automatically eligible or automatically ineligible: those who have learning disabilities, dyslexia, attention deficit disorder, attention deficit-hyperactivity disorder, chronic-fatigue syndrome, autism, functional illiteracy, or mental retardation, unless there is a specific accompanying visual or physical disability.

- * “The Library of Congress regulations (36 CFR 701.6(b)(1)) related to the Act to Provide Books for the Adult Blind (approved March 3, 1931, 2 U.S.C. 135a) provide that “blind persons or other persons with print disabilities” include: (i) Blind persons whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting glasses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees. (ii) Persons whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material. (iii) Persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations. (iv) Persons certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner.”
- ** Competent authority is defined in 36 CFR 701.6(b)(2) as follows: (i) In cases of blindness, visual disability, or physical limitations “competent authority” is defined to include doctors of medicine (MD) or doctors of osteopathy (DO). (ii) In the case of a reading disability from organic dysfunction, competent authority is defined as doctors of medicine who may consult with colleagues in associated disciplines.

Resources

True AIM: <http://trueaim.iowa.gov>

Iowa Department for the Blind: <http://www.IDBonline.org>

Bookshare: <http://www.bookshare.org/>

For more information, contact

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