

## **REGULATION VII: OTHER REQUIREMENTS**

### **A. ACCESS TO INSTRUCTIONAL MATERIALS (34 CFR 300.172)**

The State of Missouri has adopted the National Instructional Materials Accessibility Standard (NIMAS) for the purpose of providing instructional materials to blind persons or other persons with print disabilities in a timely manner. “In a timely manner” means that the responsible public agency has taken all reasonable steps to ensure that students with print disabilities have accessible materials at the same time their fellow students without disabilities have their materials.

In carrying out this section, the SEA, to the maximum extent possible, must work collaboratively with the State agency responsible for assistive technology programs.

#### **DEFINITIONS**

Blind Persons or Other Persons with a Print Disability means children served under Part B of the IDEA who may qualify to receive books and other publication produced in specialized formats in accordance with the Act entitled “An Act to provide books for adult blind” approved March 3, 1931, 2 U.S.C.135a.

National Instructional Materials Access Center or NIMAC means the center established through the American Printing House for the Blind to receive and maintain a catalog of print instructional materials; to provide access to print instructional materials; and, to develop, adopt, and publish procedures to protect against copyright infringement.

National Instructional Materials Accessibility Standard or NIMAS 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.

Specialized Formats means Braille, audio, or digital text which is exclusively for use by blind or other persons with disabilities and with respect to print materials, includes large print formats when such materials are distributed exclusively for use by blind or other persons with disabilities.

These definitions apply to the State and each public agency.

### **B. PURCHASE OF INSTRUCTIONAL MATERIALS (34 CFR 300.210)**

Public agencies that choose to coordinate with the National Instructional Materials Access Center (NIMAC), when purchasing print instructional materials, must acquire those materials in the same manner and under the same conditions as an SEA.

Public agencies are not required to coordinate with the NIMAC. If a public agency chooses not to coordinate with the NIMAC, the public agency must provide an assurance to DESE that the public agency will provide instructional materials to blind persons or other persons with print disabilities

in a timely manner. “In a timely manner” means that the public agency has taken all reasonable steps to ensure that students with print disabilities have accessible materials at the same time their fellow students without disabilities have their materials.

Nothing in this section relieves a public agency of its responsibility to ensure that students with disabilities who need instructional materials in accessible formats but are not included under the definition of blind or other persons with print disabilities or who need materials that cannot be produced from NIMAS files, receive those instructional materials in a timely manner.

### **C. RECORDS REGARDING MIGRATORY CHILDREN WITH DISABILITIES (34 CFR 300.213)**

The public agency must cooperate with efforts of the ESEA to ensure the linkage of records pertaining to migratory students with disabilities for the purpose of electronically exchanging health and educational information among the states for these students.

### **D. PROHIBITION ON MANDATORY MEDICATION (34 CFR 300.174)**

The State prohibits State and public agency personnel from requiring parents to obtain a prescription for substances identified under schedules I, II, III, IV, or V in section 202 (c) of the Controlled Substances Act (21 U.S.C. 812 (c)) for a student as a condition of attending school or receiving an evaluation or services under IDEA. This does not prohibit teachers or other school personnel from consulting or sharing classroom-based observations with parents or guardians regarding a student’s academic and functional performance or behavior in the classroom or school or regarding the need for evaluation for special education or related services.

### **E. ROUTINE CHECKING OF HEARING AIDS AND EXTERNAL COMPONENTS OF SURGICALLY IMPLANTED MEDICAL DEVICES (34 CFR 300.113)**

Each public agency must ensure that hearing aids worn in school by children with hearing impairments, including deafness, and the external components of surgically implanted medical devices are functioning properly.

For a child with a surgically implanted medical device who is receiving special education and related services, a public agency is not responsible for the post-surgical maintenance, programming, or replacement of the medical device that has been surgically implanted (or of an external component of the surgically implanted medical device).