

## **Taskforce 1 (Best Practices)**

### ***Discussion of the Definition of “Print Disability”***

#### **1. Americans with Disabilities Act (1990) and amendments (2008) and Rehabilitation Act (1973), as amended Title IV of Workforce Investment Act (1999)**

- Do not define or refer to “print disability.”
- Students receive appropriate auxiliary aids and services if they meet the federal definition of disability and are determined eligible by the postsecondary education institution.
- “Print disability” is not a recognized disability category in K-12 or higher education

#### **2. Pratt-Smoot Act (1931), as amended (1962)**

- No formal definition of “print disability.”
- Statute states that Library of Congress property can be loaned to “blind and to other physically handicapped readers certified by competent authority as unable to read normal printed material as a result of physical limitations, under regulations prescribed by the Librarian of Congress for this service.”  
(2 U.S.C. 135a, 135b).

#### **3. National Library of Congress Eligibility for Service of Individuals with Disabilities**

According to the National Library Service for the Blind and Physically Handicapped (NLS), the following persons are eligible for service:

- Blind persons whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting lenses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees.
- Other physically handicapped persons are eligible as follows:
  1. Persons whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material
  2. Persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations.
  3. 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.

## Eligibility of Persons with Reading Disabilities

- According to the federal regulations for PL 89-522, materials will be loaned to readers, “certified by competent authority as unable to read normal printed material as a result of physical limitations under the regulations prescribed by the Librarian of Congress for this service” (39 Federal Register 20203, June 7, 1974, as amended at 46 Federal Register 48661, Oct. 2, 1981)
- To receive services for a reading disability based on a physical handicap, the following facts must be established:
  - the reading disability must be of sufficient severity to prevent reading regular or standard printed material in a normal manner,
  - the cause of the disability must be physically based, that is, it must be an organic dysfunction, and
  - the person certifying the application must be medically able to judge whether the disability has a physical or organic basis.
- Groups of individuals are not automatically eligible: 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 handicap.
- Nonorganic factors must be ruled out and cannot be taken into consideration. Information retrieved from <http://www.loc.gov/nls/eligible.html>

## 4. Higher Education Opportunity Act (2008)

- Defines a student with a print disability as, “ a student with a disability who experiences barriers to accessing instructional material in nonspecialized formats, including an individual described in section 121(d)(2) of title 17, United States Code.” (20 USC 1140k).

## 5. Applicable State Policy and Guidance

- The following language was included in the New York State Implementation Guidelines for Chapter 219 memo 12:

“In general, a print disability results in the inability to effectively utilize print material and may include blindness, some specific learning disabilities, or the inability to hold a book” (language retrieved from <http://www.ahead.org/resources/e-text/position-statement>).
- California has adopted the following definition of “print disability:”

“the student has a disability that prevents him or her from using standard instructional materials” (Section 67302 (a) (2) of the Education Code).

- The state of Maine has adopted the following definition of “print disability” for K-12, which also applies to higher education:

“A condition related to blindness, visual impairment, specific learning disability or other physical condition in which the student needs an alternative or specialized format (ie. Braille, Large Print, Audio, Digital text) in order to access and gain information from conventional printed materials”

<http://aim.maineite.org/printdisability.html>

## **6. AIM Commission Working Definition of a Print Disability**

- “A print disability means, with respect to an individual, a physical or mental impairment that substantially limits the individual in seeing or reading.”
- Aligns with definition of disability specified by amendments to ADA.