

**The Advisory Commission on Accessible Instructional  
Materials in Postsecondary Education for  
Students with Disabilities**

**Full Commission Meeting – July 11-12, 2011**

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Members of the Commission in attendance:

CHESTER FINN

LIZANNE DESTEFANO

ANDREW FRIEDMAN

JAMES FRUCTERMAN

KURT HERZER

BRUCE HILDEBRAND

GLINDA HILL

ASHLEE KEPHART

GEORGE KERSCHER

CHRISTOPHER REED (standing in for Maria)

MARK RICCOBONO (left early)

LINDA TESSLER

TUCK TINSLEY

BETSEY WIEGMAN

JAMES WENDORF

GAEIR DIETRICH

STEPHAN HAMLIN-SMITH (left early)

DAVE BERTHIAUME (DFO)

SKIP STAHL (CAST)

[Members of the Commission offer brief introductions of themselves to testifiers]

CHRISTOPHER REED from the U.S. copyright office.

JIM FRUCHTERMAN.

GAEIR DIETRICH, representing two year colleges, and also the commission chair.

DAVID BERTHIAUME, I'm the director of the commission.

BRUCE HILDEBRAND. The Association of American Publishers in Washington, DC.

Hi, I'm CHESTER FINN. And I represent the national council on disabilities.

KURT HERZER. Medical student at Johns Hopkins.

ANDREW FRIEDMAN.

TUCK TINSLEY.

Go ahead and introduce yourself please, and then you can make your statement.

Am I live?

JEAN ASHMORE: I am the president of the board of the directors of AHEAD. And I'm the director emeritus of disability services from Rice University in Houston, Texas. And I feel sort of self-conscious, being the first person out of the box for this wonderful opportunity. So bear with me if I'm a tad nervous. First off, I want to say that AHEAD is very excited to be participating with the commission. But

also, I feel it led to the whole existence of this commission, by being a motor of this commission. And maybe a stickler, too. And I look around and see some smiles about that, too. But what I want to share with you today is a bit of my professional journey that was very influenced by work done by Gaier and others. And that is surveying as a disability director, and addressing the needs of students who have high-cost, low-incident needs for alternate formats. And those are students who are totally blind, or visionally limited. Students are very motivated to do very well. Well, if you're blind, and you want to study in chemistry, and you want to study in statistics, and you want to study math, what happens? Your material is not accessible. Right? So I have had the joy, privilege, and frustration of working with those students to produce the material, get the material from the publishers, prepare it, train people, bring in experts, buy books at thousands of dollars worth of cost for a \$100 textbook to buy from somebody else, and I have to buy it for thousands and thousands of dollars. It really doesn't feel really fair. It's really disproportionate to the needs of everyone in the equation. But your journey for us was a good one. We had the resources to be able to achieve the alternate format. But we created thousands and thousands and thousands of pages of Braille and tack toe graphics, as no doubt they have done over time. What is the outcome? Honestly, they are sitting in closets. Because they are either out of date. Because once that version, you know, the next edition comes along, do you say to the student, you can have that stat book, but it's three

editions later that you really need for your class. That's not fair. So you create it again.

So we don't have the RF files that are ready for use, either for braille or through an output device. We don't have those in higher education, and that's frustrating. It's also insulting that the student has to work as an accommodation manager in many respects, him or herself.

You know, look at the burden that that student has to manage to get the material to the disability unit to stay on our rear ends, to create it in time to study on and on and on. And it's just an incredible burden that there must be some solutions for.

So I am glad that the commission is addressing this. And I also feel that disability offices do what they have to do at their own peril. We are not covered in universities, are we. So we are doing all this, and yet, I hate to pick on Bruce, but he and his partners perhaps would be interested in challenging our potential to do that. And that puts us in a Peril.

So there are barriers along the way. There are barriers inherent in the material, the format in which it's published. We could not take something, a file, and not spend hours and hours and hours making it truly accessible. And that's just incredibly burdensome. What are the out comes? I will tell you incredibly good stories, because it works. Our students didn't have to defer taking classes next year. Give us a year to make a book for you. Is

that reasonable? No. It shouldn't be. They're paying huge tuition. They shouldn't have to defer.

One more minute.

JEAN ASHMORE: Okay. Thank you. The good outcome are students graduating. They're highly employed. Grad schools to selective universities. The outcome is good. But the journey getting there is huge. And burdensome. For everyone. Most particularly the student. And then the university, the faculty and whatever. So there are barriers all over the place. It's exciting work. The outcomes are worth the journey. But it's not fair.

Thank you. Commission members, do you have any questions for Jean? Skip?

Jean, thank you for taking the time for talking with us. If you had like the top three recommendations, I mean, considering yourself back in your DDS position, what top three things might have made your life around obtaining accessible instructional materials easier?

JEAN ASHMORE: Very good questions, Skip, and thanks for it, because it reminds me that the greatest challenge I believe in the STEM fields is that the fact that there is inconsistency in the file, the formats, for the published material, that the conversion of that material into a usable fashion by someone who is using a screen reader, or someone who wants a consistent voice output, wet whether they are looking at it or not, it's just not there. Whether it's math ML, or lawtech, there are all kinds

of things. But it's not consistent. So we need in higher ed to have a file format that would be readily accessible for modification, or reading or whatever the right term is into Braille. So that is number one. And number two, I think is a much better way of knowing what is available through a shared marketplace. On already produced materials. I would turn to Braille Jemaco in Canada to find materials. And sometimes it worked. But in the closets of Rice, in the closets of numerous universities, and I see the nods, are out of date, incomplete, and maybe not the best Braille materials.

Or graphics.

So those are the two things.

Thank you. Other questions? Okay. Well, thank you so much.

JEAN ASHMORE: Thank you for the opportunity.

[Applause]

Okay, the 4:15-4:30 slot right now has not currently been filled. So if there is someone in the audience who has not already registered to testify, and would like to do so. Can you make yourself known?

DEBORAH LAREW: I'm the 4:30.

Yeah, we can do that, too. I just thought that maybe if there was someone who wasn't on the list. If you now see that we're not that scary, decided that it might be okay to testify. Okay. Nope? Are you Deborah Larew. So please introduce yourself.

DEBORAH LAREW: My name is Deborah Larew, and I am currently the director of disability services at Valencia College in Orlando, Florida. And I appreciate this opportunity to talk to you today. And as you have requested public comment about the accessibility of instructional material. I'm hoping that this is the appropriate venue for this. So it is what it is. So I'm very eager to have the opportunity to add my voice. I have worked in disability services in higher ed since 1997, so I have seen many changes with emerging technologies. In fact, I remember sitting in the disability advisors office, when they brought in this huge PC, and we had to learn to use the World Wide Web. So there have been many changes that have been number one, a wonderful thing. But these technologies are also a means of exclusion. I run an office now that produces a format in text. And we run to catch up every semester. We also run to make all our instructional materials accessible, including videos, and other captioned and uncaptioned materials. In particular, instructional video materials, via pod cast, even VHS, or clips that professors copy often the TV documentaries, they often create unequal access for our student who is are deaf and hard of hearing. As professors add enhancements, they also unintentionally add barriers that we fight against. Electronic book readers. There have been dear colleague letter to advise college presidents that only accessible technologies are allowed under the law. Colleges have electronic book readers and Apps that can make those technologies more accessible, and rightfully so. But however, how long have the deaf

and hard of hearing students been over looked regarding captioning. Survey any website, access any instructional video. And the odds are, they're not closed caption, and thus systemically exclude our students who are deaf and hard of hearing. Why do we overlook this, why is it not a public outrage? I challenge you this evening, that when you go home and pull up your computer, go to Youtube. Many college instructors depend on Youtube to enhance the college experience. Is this a good idea? Well find a video, and push the closed captioning button on those videos. You will see the tragically unequal access that we are providing. Now imagine taking a quiz on a video that you saw that was quote closed caption. To borrow a phrase from my friend John Evans. He says "you go, I go. There must be seamless access. If hearing students can access the materials, then deaf students must be able to have the same level of access." If sighted students can access the materials, then visually impaired or blind students must be able to access it, as well. Any material, all material, you go I go." It's too easy to dismiss the material. It's not required. It just enhances the instruction. It's not really covered on the test. Or they can get the same material from the book. Not good enough. I urge you to remember that any material that is not accessible to one person is not appropriate material, and should be rejected. I will leave you with one more quote from yet another hero from Martin Luther King Jr. Injustice any where is a threat to justice everywhere. Not to be too dramatic, but it's personal. I appreciate your

time, and what you all do, and the opportunity to speak.

Thank you. If you could remain seated for just a minute. It's okay. We don't bite. Commissioners, do you have any questions? Mark?

MARK RICCOBONO: Related to captioning, are you willing to say that the current law, you don't think is satisfied the need, and we need something stronger to ensure that captioning and other accessibility happens.

DEBORAH LAREW: Two part to that. I think that as far as instructional material, probably the current law is enough. However, it's not enforced. The enforcement of that law is the issue. The law says, the same for any accessible materials, is that it must be accessible if we're using it. It's just not enforced. Secondly, the law is not sufficient for personal and commercial use. We can't go to the movies. We don't go to movies. We can't. I have fought with various theaters in our area. My husband is deaf. We don't go. I won't go if it's not accessible. If you're in class, and it's not accessible, I won't go. You go, I go. That's where it becomes personal. So the law would be sufficient if it were enforced as far as instructional material. However, in the commercial, and the personal, it's not sufficient, no.

GEORGE KERSCHER?

GEORGE KERSCHER: so the professor who takes video content, and throws it into his class, you suggestion that the university provide him with the

tools to caption it, and require that the professors caption the videos that they use in their class? Is that the direction you would encourage?

DEBORAH LAREW: Yes. Basically, the materials can be captioned relatively easily. There are plenty of technologies that will allow it to be done. Camtasia, which is a commercial product. Mag pie, which is a free product. There are many vision, what's it called, there are plenty of them out there now, that are allowing, that make it relatively easy to do. This is what we mostly here, well it's just one deaf student. We don't have the transcript. It's just one. Well, when there is a deaf student in my class, we just won't use that video. Do you think that really happens? If that were the case, I would be okay with that. But that doesn't really happens. Here's typically what happens.

We had a situation recently, it was a law class. And there was apparently fabulous training that was not accessible. It was a video train federal government some government agency. I can't remember which one it was now. But it was about some type of litigation process. So all of the students who were hearing took advantage of that video. The student who was deaf, although did not use sign language, basically came to us, and the professor said well, I'll give them a different assignment. No, we don't want them to have a different assignment. We want them to have the same access. There are plenty of laws out there, or until the colleges say you MUST, again, one person. I was at another institution, and we had a student who did not use interpreters, which

wouldn't make a difference. And he was taking an online course, and they sent a video, back in the day, before videos were streamed. And they said, well it's just one student, and we'll give him his money back. So we don't have to go about captioning these. Of course, that's not what we're trying to do here. Captioning can be expensive. It's time consuming to create expensive. It's costly.

But again, injustice anywhere is a threat to justice everywhere. So even if it's just that one person, I believe it should be a policy or a Lou. Did that answer your question?

Thank you.

Commission members? Any other questions? Well I particularly want to thank you for speaking because this is something that came up in the commission today. The necessity of having something that is very focused on print. But the fact that captioning also an alternative format, and is an excellent example of universal design. Thank you so much for taking the time to come and speak with us.

DEBORAH LAREW: Thank you for giving me the opportunity.

[Applause]

We are a little bit ahead of schedule. Is Holly Johnson in the room? Wonderful. So were you here when I was explaining that you give about five minutes, and then we have ten minutes for questions.

HOLLY JOHNSON: Thank you very much. I'm excited about this opportunity to speak to everyone. I'm Holly Johnson. I'm from the university at Buffalo. One of my primary responsibilities is acquiring alternate format text. So I'm going to focus primarily on that today. One of my major concerns about the puncture files that we make available to the students, is that the majority of the publishers ask that those files be returned, or sometimes back to the publisher, at the end of the semester. And I think that this issue directly relate to the commission's goal to make sure that accessible materials are available to students with disabilities at a similar time frame and duration. So if a student has a print disability, when they have to give these files back at the end of the semester, it's the equivalent to giving the book back. I don't own a personal library of those books, I still have a lot of those books. So I think asking student to return those files at the end is unfair. In the age of OCR scanners, that we could turn any book back into digital text. I don't think the digital files are any more dangerous of copyright infringement. I think students without disabilities can keep their books indefinitely, I think the students with disabilities should be able to keep the files as well.

The other concern that I wanted to talk about was the information from professors about the required book lists. Has this been discussed at all? One thing that we would like to see at our university, is for teacher to make the book list information available at the point where the class becomes available for

registration. This is because of processing time. Half the semester is gone at that point. So we would really like to be able to get those books at least six weeks in advance. We ask for students to contact their professors separately. So I think for everybody's sake, so students can shop around for the best book price, I think those booklets should be available as soon as the class is open for registration. And just another issue, some E-books although they are digital, are not accessible. There are a lot of protection on a lot of E-books today that prevent them from being copy and pasted, it's copyright infringement. But it's also a consequence that they're not available to the vast majority of screen readers. So I have students text recognizing images of book a change at a time to get their textbook. Digital does not necessarily mean accessible. I would really like to see that maintain accessibility standard.

The last issue that has come up, and I don't know if this is unique, but we have a lot of custom publishing titles that are bundles of existing files that are unique to the program. Pearson handles these requests pretty well. But having more pathways open to get some of those custom titles available in a good fashion, I have to do some legwork. What book should I be requesting the equivalent format for? The same thing goes for the course packs. We know that faculty are photo copying articles out of books that they have had for years. And they can pose real copies scanning them. It's hard to find the constituent for articles. If there are anything that

people can do to help make those course packs that are coming from multiple sources more accessible, that would definitely be a benefit. So that pretty much ends my grocery list.

Thank you. Commissioners, questions? I have one. I am wondering if there has been any discussion on your campus about the AGOA higher education act, that requires colleges to make available at the time of registration the book list.

HOLLY JOHNSON: There hasn't been. It's not the standard policy at our university right now.

Okay, if you would like to leave your e-mail with us, we will send you a copy of that.

HOLLY JOHNSON: Great, thank you.

And then the other thing, I have a question for you on the course path. And I think I probably know the answer to this, but do you know, are the instructors getting any copyright permission before for they deliver those course packets.

HOLLY JOHNSON: I would say it's uneven. We have gotten some from Zanado. They produce a combined document. And they're pretty good about the access. But I would say for the most part, we still have teachers who are taking just fair use. To just photo copy that article, and use it in that one semester. So it's hard to know how long they have been using it or not.

I just want to point out the ire irony, that disability services have been the copyright police on campus.

HOLLY JOHNSON: They think that an accessible version is more of a copyright infringement. So putting an accessible PDF online, it's no different than the print equivalent. I think there is some lack of clarity about that. People think that digital text are more vulnerable to copyright infringements.

Great. Thank you. Stephan.

Do you work with nonelectronic formats as well? Braille formats? Or enlarged text or those types of things?

HOLLY JOHNSON: We do some enlargements for some students. Some students have them at home. We don't right now have any Braille students. So we do some manual enlargement on a copyrihter at our university.

STEPHAN HAMLIN-SMITH : At your university, are you for your university, or do you have masters Ph.D., what's the scope?

HOLLY JOHNSON: It's graduate, degrees. We serve all those department. Graduate school of education, nursing, et cetera. Our office would provide those accommodations for all those students for all those schools.

Scope of school. How large is your school. How big is your department?

HOLLY JOHNSON: Our school is 30,000. I don't know the break down of undergrad, grad.

>> AUDIENCE: 40% graduate.

HOLLY JOHNSON: 30,000, total. We're an R-1 university. We have school of education, school of medicine, school of public health. So there are several schools contained in the larger university .

How big is the accessibility office?

HOLLY JOHNSON: We have five professional staff, and two clerical staff. And I do all the accessible text processing.

GAEIR DIETRICH: I have a question. Have you noticed, is there a differentiation in your ability to get the electronic files in the books that are for undergraduate versus graduate studies.

HOLLY JOHNSON: The undergraduate ones are definitely easier to get. Major publishers. And I think a lot of times the text that the students want the text for, need those types of classes. If a student is LD, reading a novel. But reading a biology book is where they want the support. But when they get into graduate, no I'm splitting all those books. We have one student who is writing her dissertation on the sea serpent in Boston colonial history. So it gets very specialized.

That's an interesting one.

HOLLY JOHNSON: She's gotten a lot of press already.

Any other questions?

I had a question. In addition to books and course packets, have you observed any other barriers for

students in terms of the technologies used on campus?

HOLLY JOHNSON: We have one student. And I would say, it's very specific by each specific student. There is one student who is a visually impaired, and an engineering student. They are producing experiments in class, and you need to watch small monitors, on very older hardware system. So we have been trying to capture for him using the live screen information. We do some limited lecture on campus. we had another student who is visually impaired, and she had trouble with beakers in the classroom. We try to get enlargers and those types of things. That kind of thing has pose add challenge for us, and frankly for the teachers, as well. Because they haven't thought about how to capture that, and make it into a format that can be enlarged and something like that.

Thank you. Questions?

What school?

HOLLY JOHNSON: We're from the university at Buffalo. Part of CUNY.

So chapter 219 law is in effect.

HOLLY JOHNSON: Yes, exactly.

Is that working?

HOLLY JOHNSON: You know, I think in our office we're more spirit of the law instead of letter of the law. We move more with ADA504 as these laws are

coming down. We try to pay as much as possible attention to those details. But we're just there trying to make sure that the student gets what they want and need from day-to-day.

So you're not using the law?

HOLLY JOHNSON: Yeah, I feel a little bit. Does Randy want to back me up here?

RANDY BURST: When it's my turn.

HOLLY JOHNSON: I don't really know the law. I do a lot of trainings around accessibility. So I don't know 219 as well as that.

When you said that your law is spirit of the law, instead of letter of the law. Would it be fair to characterize that you don't look at things from a minimalistic point of view. You try to go for that as part of a minimum, and that you take things further.

HOLLY JOHNSON: Yeah, the law is a baseline requirement. And we are always trying to look to move beyond that. And really try to push beyond that universal design type deal in our training. So when the web development team come to me, and says tell me 504. And I go to them and say 504 is a civil rights law. But if you want to talk about a list of things, we need to go someplace else. And that list is just the beginning of the process. It's not going to be, you know, all that you could be doing to make things fully accessible.

Okay. Thank you so much for your testimony. We really appreciate you taking the time.

[Applause]

HOLLY JOHNSON: Thank you.

Okay, is Emily Lucio present? Okay. Because I think we see him here, let's leap frog her, Bob Martinego, would you be willing to go now? So if you can introduce yourself, please.

BOB MARTINEGO: I'm Bob Martinego. A bit for the commission before with my supervisor. Christopher Lee, part of the Access center. I'll be speaking from my own perspective, and give you my history. I began, got in this field for the blind/ dyslexic back in 1997-2002 in Los Angeles. That was a very interesting time. They were' transitioning. In the studios, we worked with introduction to digital technology, and digital recording with DAISY. I went to the alternate text production center, which I had heard about at this point. And that was a pioneering effort. And my job was to work specifically with publishers. And I know I was the first person to request publisher files in volume. I was definitely not the first person to do so. I learned from some people who were doing that. And I got to know it very well. And those folks in this room like McGraw-Hill, and the way I looked at it the more I was successful in getting files from publishers, the better I was doing my job. So that was a good incentive for me to build the relationships with publishers.

And trying to work, and meet the spirit of the law. Regardless of what -- that students will get those materials. In 2006, I moved to the alternative

access center, in Atlanta, and I was very excited to see a fruition of something that I thought was a need of something like the Access tech network at HBC. Putting these requests together for the community college system. And when the AAP made the initiative to work with the publishers to fund access text, I was really excited to be in the right place at the right time to get involved with that. So that is a bit of my background here. And I have been to several of these meetings, and I appreciate the things you guys do. So my remarks are going to be a little bit different.

I would like to make some recommendations about the report itself. And the reason I think this is important is the report. I have heard much about this report, and how it's going to be structured and written and discussion around that.

So the reason I feel it so important, and something that I found important in my career is that the way a report or a document of a complex issue is structured does two things. One of course, it communicates the issue. So the better instruction a document, the more likely it's going to be read all the through. But if you're working to convince, or educate people who are not familiar with the subject, and don't want to get any more familiar with it than just the report. They want to read it, and just go away. That's very challenging. You're educating people about an issue that they don't know much about. And then giving them recommendations. They just learned about it a couple pages ago. You get what I'm saying. These reports are very

challenging to write. So these are on the lovely Sheraton scratch pads. So what I was thinking about yesterday morning. So yes, I was writing the report, if I were the commission. This is how I would structure it. As I have been sitting through the meetings, I have been trying to figure out the things that we have been bringing up, and capturing them. It was theme structured. I heard it was being talked about earlier with CAST.

So I would look at it, try to structure it as a narrative, based on the student. Put the student at the center of an area, and structure it in that effect. And the first thing you would start off is, if you want to talk about colleges, and the value of college education. It doesn't hurt to say that. The value of college. One of the things that came to my mind is that colleges are tradition, and technology. Tradition and high tech. Tradition, you're speaking of technology. And high tech, you're going to make a point that colleges have a lot of high tech thing to deal with. So you're going to say the value. We're going to talk about college, and the value of college education. Get people excited about that. Then you're going to introduce the typical student. Not the normal student. The typical student. This would be anonymous student, who is going to be through college. And I think what you want to do, is talk about a dozen points where you hit on certain points. Where the student has a critical access to information. The kind of challenges that students with disabilities are going to get challenged with. You want to get people familiar, most of the people

who are reading the report have been to college. And they want to be able to identify. Just some examples. Getting into school, filling out an application. Something that congress, or lawmakers, would be like, yeah, I understand that. And then the interaction with buying the content. Going into the bookstore. Say renting materials. Going to the library. Open source kind of things. You want to make these points. They have acquired their materials. Then in the classroom. You want to talk about the interaction. Going on field trips. You know, outside things. Where they're taking the accommodation with the person can be challenging. I know students who are deaf, that can definitely be an issue. This is a journey for the typical student.

One minute.

BOB MARTINEGO: Okay. One important point would definitely be exams, things like that. Their interaction with LMS. So then you repeat the journey for students with disabilities. Then you're illustrating all the points where students with disabilities run into trouble. Does that make sense? You have to repeat the journey, then you can give names of examples, like you said, from these public hearings. So a student with a disability is going to run into this issue when they come to do this thing. So now they can compare the typical student. You built a bridge there. You also introduced your beneficiary class. You bring out a little more detail there. Now you introduced your beneficiary class, you can say, well lawmaker, you did all these wonderful things, that is where you introduce your

legal protections. You say, here are the relevant laws that apply and protect to these students. So then you review all the relevant laws, the 504s, and maybe the more indirect ones that relate to this issue that you're going to mention later. Introducing the terminology that you're going to use. The functional terminology that you want to use.

So the end of the legal review is the higher education act, and the commission. You bring it up to date and say this is what we're doing now. Then you introduce the commission to all the members, and you say these are the stakeholders. So the group that you represent are also stakeholders in the process. Publishers. Here is a stakeholder, the commission. So you bring them into that. Okay. So then you want to talk about the process. The commission met. You of course introduced the process. You begin the recommendations. And what I would do, I would just recommend. Probably about to run out of time.

Yep.

BOB MARTINEGO: 20 seconds. Okay? I would say, first thing you want to do is set the strategic direction. Maybe where your record is going with the big picture. Then you want to do the executive summary. So someone can't say you didn't answer what you were asked to do. But in a summary form, are you going to do this, yes/no, then the recommendations. Maybe why you're doing this, why you want to recommend this approach. You go into that kind of detail. So that should bring you, of

course, the recommendations are the heart of it. Each recommendation has a template, where you take the cost and the impact, the stakeholders can actually be accountable for getting that done. And I like this. The minority report. I heard the commission talking about it toward the ends. If there wasn't an opposing review on a particular recommendation. And the wrap up. Measured of success. It's unfortunate that there are not more data for you to go on. Imac. That would have been useful. You should recommend that data be collected. So you have a baseline. These would be the measures of success. You measure the baseline. And you measure that data again. And in three years, you can see if we moved the needle. Yes, we are having these effects. It's succeeding, and if not.

Okay. Time. Okay. Commission members. Any questions for Bob? Jim?

Jim: I think the idea of the journey of the student is a good metaphor. It's certainly a good idea of making what we're talking about more tangible. I am not sure we can do all the things you had in mind, but that one was starting from the top.

Jim?

Thank you for thinking it through so much. The journey, maybe that is beyond what we can do. But what we want to be sure to do is include the voices of students and others affected by disabilities. And that is going to be very much a narrative point made in the narrative.

Commission members, any other questions? Skip?

Thank you for all that detail. Very helpful. I always love it when there is a totally new perspective. I get my optic very quickly in the middle of drafting. So it's nice to have a clear set of eyes looking at it.

BOB MARTINEGO: This one was for you, Skip.

Also, I'm wondering if you could actually put that into writing. I know you have your scribble notes, and send it to skip @ psc @ cast.org. Or send it to me, you have my e-mail.

BOB MARTINEGO?: You probably have all our e-mails.

Actually, I invited you to the last advisory meeting. You're all welcome to come to that in the future, as well.

STEPHAN HAMLIN-SMITH : you have been around a long time, as you mentioned in your intro. If you could offer us one, two, or three, pieces of wisdom or advice, not about the report, but about this topic in general, what are your big two or three that you think we should really be hanging onto.?

I have been thinking about that. And sometimes I am struggling along with the commission to do these things. It's easy to do in isolation. And you have to discuss them and compromise a little. So just to keep it fairly narrow. I will bring up a couple things that I thought were important that did get mentioned. I can always have opinions about the things we were discussing. One thing then, in particular, that I thought was maybe the role of the

national library service could be strengthened. I brought this up. I had that idea. And I mentioned it to Maria Kwantae. She was not surprised to hear that.

I think people are starting to see with federated search, that maybe the national library service can start. They do a lot of literature and nonfiction. There is a lot of literature and nonfiction used in post secondary. There is no reason to think that they could focus some of their catalog, and make it a little bit easier for student to approach them for that material. They could, maybe, you know, if it was just identifying certain titles, in terms of what the ones that were used. Or collaborating. To see if there was an addition for one, maybe you didn't do the other one. Taking something that exists, and moving it forward. And I'll end on this one.

There was a lot of talk about education of faculty. I think those were definitely good points. We all feel badly where some service goes unused. There is a resource there. The University of Buffalo, the list serve, you'll see the same kind of questions come up. You'll say, oh it's great when there is someone there to answer them. It's frustrating when it's not. But in the spirit of that, let's focus on the students. I didn't hear anything, perhaps I missed it, that really captured the spirit. I said we talked about. It was listening. But I heard Bob talk about the potential for student to go beyond allocation complaining to possibly a lawsuit, or some sort of grievance, and I know those are being used. I think people know directly that students are making those kinds of

grievances. Do they know their rights? Let me learn my way.org, or.net. Something where a student can go, and fill out the form. What are my rights under the law? What sort of process in a general form, and maybe something where they can report an issue, or bring up an issue, short of filing a grievance. So that might be part of the data collection that can be done. A student can document themselves, possibly anonymously, and bring that forward. But the main thing would be students have to be advocates. I know that these are things that come up in these discussions. Students may have other issues going on. They may not want to stop their education to be an advocate. But if they're not, it's hard for the tough people advocating for them. Talented students, and successful ones on the panel. But I would say perhaps a recommendation that there be more of an information portal developed, and where it would be housed. But an information portal would be housed that would help students ease their way into this process, understand their rights, and understand the things that have been done, and potentially advocate for themselves. And kudos to the national federation of the blind for doing an excellent job.

Thank you Bob, for these great ideas. And I want to give one more pat on the back, which is not widely known. But Bob was the one who actually required the original data that I format and gave to Ed McCoy, which was the basis for the original publisher look out. So that was a big step forward in the field. Thank you, Bob.

[Applause]

Okay. Do we have Emily Lucio?

EMILY LUCIO: Yes.

Okay. Emily, since you were not in the room earlier. Commission members, can we introduce ourself.

LIZANNE DESTEFANO, University of Illinois.

STEPHAN HAMLIN-SMITH.

ASHLEE KEPHART.

GEORGE KERSCHER.

GLINDA HILL. The office of special education, and rehabilitation services.

SKIP STAHL, support for the commission.

CHRISTOPHER REED on behalf of the U.S. copyright office.

JIM WENDORF.

GAEIR DIETRICH from the California community colleges.

DAVID BERTHIAUME, U.S. Department of Education. I'm the executive director.

CHESTER FINN. Representing the national council on disabilities.

KURT HERZER. Medical student.

MARK RICCOBONO. National federation for the blind.

BETSEY WIEGMAN.

ANDREW FRIEDMAN, learning ally.

TUCK TINSLEY.

So just to give you a sense of how this works, we'll ask you to speak for about five minutes. We'll ask you whatever you want to say, and then the commission will have ten seconds.

EMILY SINGER-LUCIO: My name is Emily. Emily Singer-Lucio. But I work at Catholic University of America in Washington, DC. And we serve over 250 students in our office. We have approximately 12-15 students who use alternative formats. So we're typically changing formats for books about 90 books per semester. So for a small university we have a larger production. I was very pleased from the recommendations from the commission, the three recommendations that are most relevant to what we do. I don't think this apply to us. But apply to all universities. The first recommendation about the same time and cost. Students with disabilities who request print materials in alternative format in our office, sometimes have to wait an additional 1-2 weeks after the semester starts to get their materials. They're already behind the game. They have to wait until after the class starts, then they have to play catch up. And that makes it very difficult for them. That poses a real challenge. So for us to be able to get them their books. Or for them to be able to get their books themselves. Recommendation number six. Create or require the

high quality of alternative formats. Currently there are a number of different resources, a least three or four off the top of my head where we require alternative formats for students. Sometimes it's faster for us for us to do it ourself. Sometimes for publishers it takes a long time. And part of the issue with that is that what we're getting, we still have to edit anyway. So all we're saving ourselves this time is a time to cut the book and scan it. So if we have to cut and scan the book in 15 minutes, it's just much easier for us to do that. We still have to edit it anyway. One of my main concerns, is there is no consistency in the quality of materials. We can have three different resources, have the same book, and have it in three different levels or types of format, or various different errors in some formatting, that makes it very challenging for us.

So the books that we received, as I said, do so require editing. And the impact on the student for some of that is, first of all, we did a survey recently of similar school to ours, to see what they were doing. They were all small Catholic institutions. And it was amazing for me to hear that they didn't do alternative formatting in their offices. They were just receiving the books from the publishers, or other resources, and just giving them to the student.

So you run the risk for poor quality for the student, and inconsistency for the students. And we get that feedback from our students. Sometimes they get good quality, or poor quality. And those aren't the ones they get from us. Because we try to make sure it's good quality. And because the quality is so

inconsistent and poor, we want to make sure it's good. We want to take the time to review it and edit it, and make sure it's good quality. So again, they are having to delay. And making it harder to compete with their peers. And the same reasons that I mentioned above. The quality and the time issue. While each year, the number of books that we are able to get from other sources increases, as I said, the process is cumbersome. It would be such a tremendous help. One of the resource now, allows you, as part of their program, to get books from them, allows you to donate books to them. So you have multiple schools donating books to this resource. And again, there is no consistency in how one school edits a book compared to another school. We take the time to not just change the text, but to take out extraneous information that could pose an issue for those who are blind. But we are trying to get the same, high-level quality product. It would make a huge difference in the lives of these students. Thank you.

Thank you. Commission members. Questions? I have a couple questions. Are you using access text network?

EMILY SINGER-LUCIO: Yes.

And which sources would you like to see as part of the federated search?

EMILY SINGER-LUCIO: I don't know. I have to think about that. You know, I think my main thing is just making sure that wherever they come from,

whatever source it is, is quality and consistency. We have good materials, and bad materials from another source. And good materials from another source. It's just consistency. Making sure quality is the same regardless across the board.

Thank you very much. Appreciate your time.

Jim: One of the questions we talked about in the federated search is the meta-data about the book. One of the things I don't think that was on our list, is some kind of quality indicator. Quality has come up with a lot of different things. Proofread or not proofread. Others could be PDF. Others could have pictures. Do you have a shorthand list of the top three things. I know that book is going to be worth downloading, because it's going to have what I need.

EMILY SINGER-LUCIO: You know, I think the challenging part with that is that each student requires different things within a book. You have a student with learning disability, their needs are going to be very different from a student who is low vision versus a student who is completely blind. So I think if there were technical standards across the board, that would say things to be able to include all students with disabilities, would be ideal. But you know, that's a very high level of formatting. And not every student needs that. So I think there needs to be either some determination of what the level is going to be, and you know, I don't know that if the answer is in the end there is still some editing required. But ideally, it would be great if the highest level would achieve, no matter what the publication,

and make sure that not only the text, but the images were edited, and the diagrams, as well.

So the highest quality that you're talking about would serve all standards?

Correct?

Because I think, as I mentioned, you know, there is the extraneous stuff. Like if there are lines at the top of the page. We might take those out, so screen readers don't have issues with that. But in the end, do we need to take those out for a student with learning disabilities? But who are we to determine what is necessary in that sense?

Other questions? Commission members?

EMILY SINGER-LUCIO: Thank you.

Thank you so much for taking your time.

[Applause]

Okay, Randy, you're up. And welcome.

RANDY BURST: I want to thank the commissioners for being here and, but taking the time to work me into the schedule. I'm from the University of Buffalo. The same place the others came from. And I am very glad the folks have been discussing the technical aspects, because I'm going to wander a little bit into the abstract. Possibly somewhat outside the scope of what the commissioners may be interested in. But for the purpose of exemplifying some things that are within the scope. Just a couple

points from things that I have heard already this afternoon that I want to comment on. Chapter 219 of the law of New York is about textbooks. You know, a lot of, especially at our one institutions, a lot of the materials that we're gaining access to are not textbooks. And publishers are quick to tell us that these are not textbooks. Not that that makes any difference in the life of a student, but it addresses that.

My concern is that I think that we have been applying the wrong model to the question of textbook and other print access. We have been applying a services model. Because that is what we had before the electronic world. The publishers produced the print. And in order to give accessibility to the print information, you had to create that whole new product. The whole new piece to give to people. So in my day in the 1970s, before there was a disability services office, I was cranking around open wheel tapes, from recordings for the blind. It was a wonderful opportunity. It was what we had. It was wonderful. But I had the opportunity to participate in marketplace, where I had the responsibility of going to different department to find out what the books were going to be. Starting with the department of chairs, the real advisory to the department of secretaries. And they got their department to announce their books very early, which was very nice of them. But it was in a different marketplace. I wasn't going to the bookstore, except in the cases where books weren't available on tape, the new university provided a reader for me.

So I got the opportunity to go to the bookstore to buy books. But today, what we're doing is sending student to the bookstore with reseats. To demonstrate to the publishers that the students got their book. And they have a \$200 paperweight. It's not a meaningful market. In fact, what they are really doing is the acquisition of their materials is through us. Which, you know, I have to go through this through disability services.

Everything I do, because the D-word is associated with me, I have to go to disability services. If I want a parking space, I go to disability services. If I want a textbook, I go to the disability services. If I want to take a test, I don't go to my department. I go to the disability services. And I think what we have done with this disability services office model, which is really underresourced, in terms of personnel money things that are needed, we have not only created a disability ghetto, but it is also separate but not unequal. And I would like to see if we're talking about new legislation in regard to print access, that we move it away from the auxiliary services model, and think of it as the curb cut.

Books are accessible, because they need to be accessible. And students can get them on the first day by participating in the marketplace. We know they aren't going to be able to go to the bookstore, and there will be a CD for every book, for the 2% of books that are going to sell that way. But perhaps there could be another method. Where they could purchase permission to download.

One more minute, Randy .

RANDY BURST: I'm done.

(Laughter).

RANDY BURST: That was the only point. Others have made so many other points adequately one. But that was my only one.

Questions?

GLINDA HILL: Thank you so much for the analysis of the curb cut. I really appreciated that. If we just start thinking about that in life as useful in life as the curb cut. Thank you so have much.

RANDY BURST: Thank you.

GEORGE KERSCHER: 219, I was on that group. I was on that group for many hours. I thought it was a signed title at a university class, that it qualified for, you know, to ask the publisher for files, and get the files in a time period, in a descending or assenting or of preference. So you're saying it only apply to identified textbooks?

RANDY BURST: Yes. And it doesn't apply to commercial trade books.

I wonder if that was a confusion to the California state law, which is true, of which was the first one written. Compared to the New York state law.

RANDY BURST: You can ask an attorney. I'm not sure.

It would be education for me to know that.

GAEIR DIETRICH: I don't know 219 well enough in specifics. Bruce is not here right now, but he could probably answer that question.

RANDY BURST: I feel pretty fairly about what I speak, and I think that's the New York interpretation, as well.

STEPHAN HAMLIN-SMITH : I'm wondering if you can offer us some guidance about what we can think about this. I must confess, about much of what this commission has framed things has been through a very existing legalistic framework, and through a very accommodation, auxiliary aids services model, because quite frankly, that is how our civil rights are set up currently. Can you say a little bit more to us, or more examples of how we might bridge our thinking process, knowing where we need to be bounded realistically, but how we can make that jump a little bit.

RANDY BURST: Well, for one thing. Except with the exception of -- support. The disability services office, which is really more often a person than an office, is no better equipped to provide the kind of access that Emily and Holly was talking about than they were to do a curb cut. So if there is a person with a wheelchair who needs a curb cut, let's get them to build a curb cut. What we are doing doesn't work. The way we have written the write doesn't work. It was conceived in the early 1970s, where it was a different world for maybe 2%. In my day life was

great as a college student, because I could manage this new sort of parallel marketplace.

But if we go back to that, we have cut the number of percentage of people with disabilities by 98%. What we're doing shouldn't be the legal limit. It doesn't work. Flush does that get at what you're asking? I have a feeling it doesn't.

STEPHAN HAMLIN-SMITH : I think anything helps us frame anything that is good for us.

Commissioners, other questions for members? Is that a question forming George?

GEORGE KERSCHER: No. It's just that we have to be very, very careful that we don't make textbooks the focus.

RANDY BURST: Yes.

GEORGE KERSCHER: You know. Yes.

Thank you. Thank you, Randy so much, and hello.

[Applause]

Okay, we're going to take just a five-minute stretch break. And be back at 5:30, please.

(Break)

GAEIR DIETRICH: Okay, so I would like to call the next person for testimony. I think it's Scott Bay. Am I reading that correctly? Great. Thank you so much. So welcome. Have you been sitting here for

a while. So you heard. You get about five minutes to testify. And ten minute to question.

SCOTT BAY: My name is Scott Bay. And I am actually the former director of disability services in Coon Rapids, Minnesota. So in other words, I have been part of the environment there. My history there were disability services pretty much runs the gamut. I spent 14 years with the university of Wisconsin system in a 4-year college of liberal arts, in a 4-year university. Then I spent 4 years with the state of Minnesota, working in the 2-year technical community, and then community comment systems. So I have done pretty much anything except private schools. When I began with the 4-year institutions, pretty much everything was RFB when I started. And when I started we had student volunteers, we had them come in and read textbooks. And the four track players, et cetera, et cetera, et cetera. I came from an office there where we had a staff of 4, 5, 6, 7, 8, people depending on the time line. And fundamentally, we had one person who was almost solely in charge of ordering, and working with RFB, with regard to the 75-85 students we had on campus who were utilizing textbooks on tape at that point. That was also an era where I found that textbooks weren't changing like they are today. I found out in a hurry when I left the UW system, and moved into a technical college, they in the past did try and utilize RFB services, but had a lot of problems with it, because quite frankly, according to the blind dyslexic, they had no technical type for technical programs. And then I literally found myself working in a one-

person office. So the entire process was up to me. In Minnesota, we also had an agency called state services nor the blind, which was an agency, an offshoot of rehabilitation services, whose job it was to work with persons with visual disabilities. However, they had also adopted the possibility, that even though they may be supporting somebody going through post secondary education, that it was the college's job to provide reasonable and appropriate accommodations. So if I wanted a textbook that I needed recorded, and I wanted state services for the blind to record it, even though we were both working for the same good, so to speak, they wouldn't do it unless we paid them to do it. So that was when I introduced myself to the world of phone-to-phone conversations with publishing companies. And Curzwell. I litter had one of their machines. We had two on campus. And I had one in my office, where I could be doing other duties, and scanning textbooks. I would convert them to a rich text file, and I would e-mail the file to him, and thank god he was savvy enough to know how to convert those files, and work with those file to use them. But for other students, it became a point of them starting to work with publishers directly.

And I get my reason for wanting to testify is we have gone along with the publishing companies, or they have come a long way. I still don't think they're to the point where they're making it necessarily easy for us to do. As Randy mentioned, I know of several that I have worked with where you go in, and after you dig and you dig, and you dig for the rights and

permission page, and then you dig, and you dig again for the form for ordering a textbook for a student with a disability, and then you begin filling out that five-page form, and as soon as you mistype one word, or hit the wrong key, it completely wipes out the whole thing, and you have to go right back and start all over again.

But, as Randy said, there were issues such as the student, have you verified that the student has purchased the textbook, X, Y, and Z. Did I do that with students? Yes. Did I always make sure necessarily that the student purchased a new copy of the textbook. I refuse to answer that the question, on the grounds it might incriminate me. Because fundamentally, we had a lot of students going to a community college, they were going to a community college for a reason. They don't have a lot of money.

One minute, Scott.

SCOTT BAY: So I guess my comment is that individuals need to persevere. I think the biggest problem we had was working with the mom and pop publishing companies. They just didn't have the technology five years ago to convert to text, or an electronic format.

(Phone rings).

SCOTT BAY: But I have had some that have been very cooperative. But the issue being, as I talk to new colleagues in the room is to persevere. We got there. But they don't necessarily make it easy.

GAEIR DIETRICH: Thank you. Commission members? Questions? I have a question. Were you using access text network at all. That wasn't available at that time.

SCOTT BAY: No. That wasn't able. I would go on a website, and look up a publisher. And if I couldn't find it within the first three or four pages, then I'm looking for the 800-number to call for customer services. I'm on your website. Where do I go, because I know you have to have a form. And some people would say, honest to god, we have never done that before. Then I'm talking to somebody where I say, give me somebody who can help me. There is a customer services, a salesperson.

GAEIR DIETRICH: And I think you said sometimes students were requesting the alternate formats, themselves.

SCOTT BAY: No. We stopped using recording for the blind/ dyslexic. But I always gave that as an option for the student. But we did find some students that were RFB members. And I said that's also a resource that you can use. That is also a resource that does not require you to buy the textbook. Because to some individuals that wasn't important.

GAEIR DIETRICH: Thank you. Jim?

JIM WENDORF: Thank you for all the work you have done, and all the commitment. You show it.

SCOTT BAY:: I'm retired.

JIM WENDORF: You deserve it.

GAEIR DIETRICH: But you're still here. Thank you for your comments.

[Applause]

GAEIR DIETRICH: Announcement. Specifically for commission members, there is food for you in the back. We go pretty much straight through tonight without a break. Because we won't have a long break for you to eat. So feel free to grab that as we go along. Is Louise Hall in the room?

GAEIR DIETRICH: Welcome Louise, you have been sitting there a while. Feel free to make your comments, and then we'll ask you questions.

LOUISE HALL: Thank you. I'm Louise Hall. And for 20 years, I was the director of accessible services at Harvard. My responsibility was for all the arts and sciences, and all Ph.D. candidates. And I am a long-standing member of AHEAD. And I think what I have to say isn't totally redundant. But it's encouraging to have heard some of your comments from your speakers about paying attention to the data that is available from the client's OR offices. I would just like to say that I have always been struck by the impossibility of picking up a model of how something works in one school, and expecting it to just drop in another school and be effective. With the characteristics of one institution versus another really make that impossible. I think that I'm particularly interested in being proactive on this topic, instead of reactive. When you're a service provider, you're pretty reactive. And in that way, I'm

interested in the idea of perhaps creating, along with AHEAD, or other organizations, a very significant, sophisticated database of some of these key issues, perhaps along the lines of the AHEAD membership to start with. To be able to sort and sift some of the service models and problems that come up.

But I would include the, I would include students, I would include those people responsible for alternative media. And I would include DSS. I would also include the institution itself for their perception of how things are going. Because I think sometimes there is a disconnect. If it seems like no one is suing you this week, things must just be fine.

(Laughter).

LOUISE HALL: So my point here, is that if nothing changes, nothing changes. And I would be very eager to see a workable, flexible database that can be made to suit the needs of a commission, of a state agency, and classification of institutions. So that is just my recommendation.

GAEIR DIETRICH: Thank you, Louise. You're essentially talking about a knowledge base that AHEAD could host?

LOUISE HALL: Yes. And based on a system that is easily updated, and very manipulative.

GAEIR DIETRICH: Thank you very much. Commission member, questions for Louise? Well, I think, at least, I'm really wondering. Graduate studies at Harvard, you must have been converting

some pretty sophisticated books into electronic books for students.

LOUISE HALL: Fewer and fewer books. Articles ripped out of magazines 15 minutes before class.

GAEIR DIETRICH: That defines inaccessible. Thank you so much for your testimony.

[Applause]

GAEIR DIETRICH: And I'm going to have as much problem with this name as most people have with my mind. Duraese Hall.

Duraese.

GAEIR DIETRICH: Who is not currently in the room.

She is scheduled on my list at 6:00.

GAEIR DIETRICH: We're running a little bit ahead. Marilyn Barlet, is she out there.

She's outside.

GAEIR DIETRICH: That's okay. Mary Lee is here. I'll give you the option. You can go now if you want to. So Marilyn, do please introduce yourself to the commission, and then give your testimony.

MARILYN BARTLETT: My name is Marilyn Bartlet. I'm a professor of administration at the college -- at Texas A& E. That's way on the Mexican border for all you geography buffs. I'm talking as a person who is disabled. I want to tell you what it's like being a professor, and having students who are not able to

function properly in the classroom. Or not functioning on a level playing field with their peers who are non-disabled. Now, for the most time, and I could probably go back a little bit. I was dean for a few years at Texas A& M. And I had a number of students who were coming to my office regularly, who were having academic difficulties, not because they weren't doing the work, but because they couldn't access information. Unfortunately, professors are not trained to teach students with disabilities. They are not trained for the partially blinded student to explain exactly what is on the PowerPoint that is being shown in the classroom. So part of the problem is with us. And we need to provide materials so that the professors are able to deal with the difficulties that they have in their classrooms. Because it's the professor's job to disseminate the information. Now, here is where the publishing companies come in. As a professor, we are very limited. As a professor who happens to be learning disabled, there is even more limitation. When I receive a new text, I have to have my husband read it to me. Imagine that. Fortunately, I'm very lucky. He's a retired academic. And he enjoys doing this with me. But that's a luxury that I have. That's not the norm.

I can't get most textbooks in my area, in any other format, other than printed. And the supplemental materials that go along with it. If I want to wait a couple of years, until the material is really old. And we all know that it takes only a few months or a year to get a book published. So we're already dealing

with material that is not quite yesterday's. So if I want to wait for the opportunity to wait for the book to be available to me, in alternative print, or in audio version, then I'm talking about books that are 2-3 years old. So naturally, that's not how it should be.

I think I'm really here to tell you more about the personal journey that I have had for my life. Dyslexia is real. And I know that there are some name sayers here, but I'm standing, living proof in front of you. Let me allow to share with you a few instances that have occurred over my lifetime. Imagine being in the fourth grade, and you study the flash cards of multiplication and division facts with your mother, again, and again, and again. And you go to school, and the teacher takes you individually to review your flash cards, and like a metronome, runs the flash cards in your face, when you're standing there saying, was that a 6-9, that could have been a five. New card. Five or a. New card. And so the teachers your mother and says you haven't learned your numbers. And so mother comes down to school and says give me your packet of flash cards. And she holds the flash cards up, just as she did at home. Is that a 6, no it's a 9. Oh, 36. And unknowingly, she's doing number identification for me. Because that circle at the top, or that circle at the bottom gets all mixed up in my head.

I had a situation when I was going to trial with my case in New York, a decision came down 10 years ago. It's actually been almost 20 now. I happened to say to the assistant attorney general. I said sometimes in my own head, I wish when people

were trying to teach me, and excuse me for this expression, I wish they would treat me like I was not sighted, and just tell me what I need to know. Read to me what I need to know. And this gal said to me, so why don't you learn Braille. Me, learning disabled, no rights, no left, no tops, no bottoms. Learning Braille. I winced. During trial, where I was asked several different pointed questions about my ability to read. And I prefer to think of it as an ability. I was in college before I realize that had you didn't read like me. I thought everyone read the way I do.

Needless to say I was very upset when I found out how easy it was for some people to read compared to how I read. Anyway, at the trial, I was asked some questions, and finally, I think that I was the model plaintiff in terms of my politeness, courtesy, my ability to keep my emotions under control. But at this particular time, I lost it. And I could feel my Irish temper flying. And I looked at the attorney, and I said you don't get it. Let me tell you how I see. When I look at words, words that I should know, I first stop and ask myself, is the circle first, or is the line first? Is the line above the circle, or below the circle? Am I dealing with a P, or a D, or a B, or a Q? And that is an activity that my brain has to do every time I look at words. N, U. Even W's, and M's are sometimes problematic if I don't focus on whether there is a point. Now, have any of you thought what it would be like to read the written word when this is how your brain functions?

I'm fortunate that I have an incredible memory. I'm fortunate that I'm incredibly bright, which, by the way, I didn't know until I was in my 40s.

GAEIR DIETRICH: One minute.

MARILYN BARTLETT: I thought I was an average kid. I had several people around my home, including three siblings who were equally bright and had no problem coming home with all the A's. You have an opportunity right now to change things. Yes, you have the laws. Most of the laws don't have enough teeth in them. And despite the laws, publishing companies don't have to observe the laws.

You have the opportunity as a commission right now, as I understand is your charge, to change how we in higher education help students learn.

I would hope that you seize this opportunity. And when you're making your decisions, that you think of people like myself, and others who have spoken with you today. And I would like to thank the commission for the opportunity to speak with you. And I'm hoping to meet some of you as the days go on during this conference. Thank you very much.

GAEIR DIETRICH: Thank you, Marilyn. And thank you in particular for that very clear and easy to follow description of some of the issues that you are dealing with having a learning disability.

Commission members, questions for Marilyn?

Have you tried some of the things that have text-to-speech built in. Kindle?

MARILYN BARTLETT: As soon as books on tape came out, I was one of the first people to purchase them. I never read for pleasure. When books on tape came out, I discovered what pleasure reading was. Yes, I have Kindle, which is great for the pleasure side of the written word. But there aren't any textbooks, at least in my field, yet available through Kindle.

GEORGE KERSCHER: And I understand the way it reads can be improved a lot.

MARILYN BARTLETT: That's definitely improved. I much preferred the books on tape when I got to hear Charleston Henson's voice.

GAEIR DIETRICH: That's a different issue.

(Laughter).

JIM FRUCHTERMAN: I'm guessing with your background, you're familiar with some of the levers and knobs that the commission might recommend pushing and pulling. So do you have two or three things, that if you guys did nothing but these two things, you might make a major strike for these people to have an equal access to education.

MARILYN BARTLETT: I hadn't thought about that until I heard the question earlier today. And I was thinking about what Bob shared with you. Looking at the various types and shades of disability, or ability, among the students in your student body to look at the specific needs that they may have, almost in a chart format, I think to answer your question, we're at a point in a time, where publishers

must make materials available. Now, I know it has to do with marketing, and profit making and so on and so forth. But there are too many students who are bright but are missing the mark in higher education. Because they don't have access to all materials that quote unquote regular kids have access. And that is problematic.

And everything can't be, I don't mean to imply that everything need to be auditory. Large print.

I happen to really enjoy the course packs, from McGraw Hill. But it comes in the printed version of the original. It's not necessarily, it's not available in large print. and I find that very annoying, personally.

I don't really know how to answer your question, other than saying that the think tanks need to get together and figure out how to make more auditory materials available. How to make large print available, and how to make materials available for the other disability areas.

GAEIR DIETRICH: Commission members, other questions?

MARILYN BARTLETT:

And also make materials available for professors, too. And have it come up in a more timely fashion. It's got to come out in a more timely fashion.

JIM WENDORF: I wanted to thank you for persevering. It's a privilege to have you here.

MARILYN BARTLETT: Thank you very much.

[Applause]

GAEIR DIETRICH: Has Duraese Hall come into the room? Okay. Mary Lee Vance, please. Hello. And welcome.

MARY LEE VANCE: I'm Mary Lee Vance, and I'm currently with the University of Montana. This is my third campus that I have been with where I have worked with university services. Including a consortium, Gallaudet, for example, where I dealt with a lot of access issues. And at the University of Montana, I do have staff who are able to do this. We did 300 books during this last academic year. The need is increasing. The thing that I really wanted to identify, which is a little bit different, maybe, I also work pretty closely with Wounded Warriors. My focus has been how to make the campus accessible to Wounded Warriors. Whether or not you're aware of this. Interesting enough, one of the second and third highest disabilities identified by Wounded Warriors, was learning disability. Now whether or not these veterans were going into the military with LD diagnosis, or as a result of serving multiple combat tours, they have sustained injuries, the bottom line is they are in our universities. We have about 2 million veterans who are in the post secondary education, and they are coming to me, needing access. They say to me, we're not going to ask for any accommodations. We don't want to identify. We want the ability to have our education, which we have worked hard for. We deserve it, it should be available. Although it's wonderful to have access for students with disability, or access to

student who is have identified as having a disability. I want to push for a further agenda, which is to that all student haves the right to access the media, in whatever format works for them. I have been getting older. And as I get older, my vision has been getting a little bit worse. My hearing has been getting a little bit worse. A lot of things happen to me when they age. But it does mean for me, that I am seriously thinking about how will I read with my hearing getting worse. I have a passion for reading. So the bug of not being able to access and not being able to read my books does kind of terrify me. I have to think about how I can alternately enjoy the books I read. The thing that is happening at my university, we had a situation recently, where a faculty member came to recently identify that her disability was progressing, where she had to have her textbooks being put into alternate format. It ended up 29 books later, and I don't think she is done yet. And she want to have her books on her iPad, and she want to be able to have the ability to research, and planning, and et cetera. We're not talking about just students, but the ability for faculty staff to be able to do their job. And recreational readers who want to read their books. So I would really encourage you, as you are looking at all the wonderful recommendations that you're making, would be to go a bit further, and consider the fact, that what we know, we start with the students who have the disabilities identified. But what about the wounded warrior? He's coming in without money. If they are not able to read their course pack. They are going to be a retention issue. Now we're dealing

with recruitment, retention, and we are also dealing with what are we going to be able to do with our ability to be marketable. To get the career transition support that they require, to transition from being a tank driver to being something else in civilian life. I think we owe it to our servicemen and women to do everything that we can. And recognize the sensitivity involved, to deal with our military who are trained to think of themselves as not having a disability. But as one of the veterans who said to me. We will not ask. But if it's there, we will use it.

GAEIR DIETRICH: Thank you so much, Mary Lee. What you have just spoken about is near and dear to my heart, as well. A very large number of the wounded warriors were not traditional learners. The reason they chose that career path in the beginning, was they had a learning issue. Thank you. Commission members, questions for Mary Lee?

GAEIR DIETRICH: I think there is another thing that you highlighted, that I also think is very important, which is we do have an aging population. This is not about something else. This is about all of us. That if you live long enough, you will have a disability. And it's actually something to strive for, because if you don't have one, you just died before you had the chance to get one.

(Laughter).

GAEIR DIETRICH: So thank you for raising all of these issues. I didn't have the sympathy at 40 as I did at 50. Thank you for your available testimony.

[Applause]

GAEIR DIETRICH: And I'm told that we may have Duraese Hall. So welcome. So since you haven't been listening to the other testimony. Just to give you an idea. You'll have five minutes, then we'll have about ten minutes where we can ask questions. And I'll have the commission introduce yourself to you, and ask you to introduce yourself to us.

LIZANNE DESTEFANO.

ASHLEE KEPHART.

GEORGE KERSCHER Kerscher, independent.

GLINDA HILL: I'm here representing the assistive operations programs, and rehabilitative services.

CHRISTOPHER REED, United States cop right office.

GAEIR DIETRICH: California community colleges, representing two-year colleges, and also the commission chair.

DAVID BERTHIAUME: U.S. department of education.

CHESTER FINN: And I represent the national council on disabilities.

JAMES FRUCHTERMAN: From Vadtect, and bookshare.

KURT HERZER: Johns Hopkins.

BETSEY WIEGMAN: --

ANDREW FRIEDMAN: Learning ally.

TUCK TINSLEY: -- for the blind.

DURAESE HALL: I'm Duraese Hall. I'm from the University of Houston, downtown. When speaking with Jean earlier, I came across a couple of issues that I thought would be significant, where we're having problems with students with visual disabilities, especially those who uses Jaws and any other type of screen reader, where we're running into a problem, our approach is any subject specific software, that is not fully accessible for students with visual disabilities. The two that we're using right now, one is called "my math lab." And the other is "my science lab." I'm not sure of the companies that produce these two programs. But I have tried to work with our department chairs as far as looking into other programs that might be accessible and it's become a general attitude that, "Well, we generated paper and pen exercises that students who cannot access the software can use." And they figure that it is the job of disability services to record this information for the students so that they can do their homework. And that's a big concern for me, because it is discriminatory. These students, it takes away their independence. It takes away the ability for them to submit their homework as every other student in these classes is able to do. Basically, that is why I wanted to come and speak today.

GAEIR DIETRICH: Thank you so much for doing so. Commission members, are there any questions?

JAMES FRUCHTERMAN: I just looked it up. And apparently it's a flash-based solution, done by Pearson. I hadn't heard about it before.

GAEIR DIETRICH: And I have to say, I do know that they are working on it.

DURAESE HALL: That is good to know. That is good to know. Because I am required at the department chair level -- I have inquired at the department chair level, and they weren't aware of anything that is being done. My concern is that they are all right with the fact that they have discriminated against one class of students that cannot do their homework as everyone else. But thank you for listening.

GAEIR DIETRICH: Commission members, do we have other questions? Mark?

MARK RICCOBONO: So is the university taking any particular steps in terms of accurately working to accommodate those students? What is the solution on the university's part?

DURAESE HALL: The solution right now is for us to record the homework files and give the tapes to the students. As far as I know, and from what I have looked into, there is no other action being taken, and basically, they plan to keep using these programs. And like I said, these are programs that are not just going through IT. These are department, subject-specific programs that departments are buying into.

GAEIR DIETRICH: I have a question. How are the students who are using this program, how are they

doing their homework? Are they using Braille, or a computer?

DURAESE HALL: Some use Braille. Others have help, where people are scribing for them. The ones who need screen readers are pretty much limited using to using a scribe, and using Braille in order to complete, because they aren't able to do it on a computer. And they just hand in the paper copy, unless they can come back to us, and we would have to input all of the information for them in order for them to submit it electronically. But presently, they aren't submitting it electronically, like other students.

GAEIR DIETRICH: What level of math are we talking about?

DURAESE HALL: We got two developmental-level math classes. I know they are using it for college algebra, and probably for intro to calculus, and finite math.

GAEIR DIETRICH: Frankly, I cannot imagine doing calculus with a scribe. It's hard enough when you can do it on your own. But with a scribe is almost unimaginable to me.

MARK RICCOBONO: In terms of the programs themselves, would you say that with even with this accommodation, you believe that the students are getting the full rate of benefit that the software is providing. When the students, for example, in the program, when they complete a problem, do they get instant feedback whether their work was correct or not.

DURAESE HALL: Not only do they get feedback, but they're able to look up examples within the program. So the students who are doing it, because we're putting it on tape, are definitely missing the full advantage of being able to access these programs electronically.

GAEIR DIETRICH: Any other commission members with questions? Well, thank you Duraese for coming in and testifying to us.

DURAESE HALL: Thank you for listening.

[Applause]

GAEIR DIETRICH: Okay, is Bree Callahan in the room?

AUDIENCE: Bree is one of the organizers for the AHEAD conference, and she said she would not be able to get here until the scheduled time.

GAEIR DIETRICH: Okay. We are a little bit ahead of time. I don't see Scott. Is Katherine Scharf in the room.

KATHERINE SCHARF: Yes.

GAEIR DIETRICH: Katherine. Welcome.

KATHERINE SCHARF: My name is Katherine Scharf. I am a student at the University of Buffalo. I recently, just graduated this year. I am enrolled in the graduate program this fall at UB. I am doing the presentation with UB tomorrow. And I thought I would come here as a student who went through

college with a visual impairment. I went through the whole profession of technology throughout my years. I started elementary school getting glasses with magnifiers within the lens, and with Magnifiers, I had to bring it very up close to read it. I had to read a book with print 5 times the size of the average printed book. I was forced to use these materials. I couldn't fit them in my locker. Every day, I had 4-5 books in my hands that were 4-5 times the size of normal books. Going into college freshman years, they offered me E-books. I used E-books one semester, freshman year. After that, I didn't want to touch them or see them again. They were very inaccessible to me. At UB, I was a division one captain of my swim team. I studied a dual major. I was not the girl with the huge books in her hands. I was a student. I refused to use the things that were provided to me. It was not helpful to me. That means I chose to go to class each day without a textbook. Sit through the class, if a teacher was using examples with textbooks, with no knowledge of what was happening. And notes that were given by the teachers on PowerPoints, I could not see the screen. And with a lecture of 4-500 students, you don't know the students next to you. I had no help. I had to go and sit there and listen to what was being said. Best of my ability. Write down my own notes. Then go home and teach myself. Because I couldn't see the PowerPoints, and because the teachers were very uninterested in putting the notes online, or e-mails me the PowerPoints, I had to use the note taking system, and that process can be a very disjointed, and very inconsistent process. I'm

trusting another student, and I don't know them, they like to remain anonymous. They do not know me. They do not know how I take notes. And I don't know how they take theirs. I do not know who I'm trusting with my materials. I study add dual major, and I swam, and I taught myself my own classes. There are many things that can be improved upon with E-readers, and accessibility and notes, and what is offered to each student. I thought that was beneficial to come and tell you my experience throughout all my years of school, and offer any knowledge in that way.

GAEIR DIETRICH: Absolutely. Thank you.

ANDREW FRIEDMAN: Can you give us a little more information on what worked for you, and what didn't?

KATHERINE SCHARF: I had to wait in college, the whole process. Just getting the normal process, most students don't get it right away. They wait to see if they need the textbook. Like I regular student, I would wait. Realize some classes you don't need a textbook, even if they have them listed. And some classes you did. So three weeks into the semester, I would ask them for the E-book. I had to wait longer. I had to wait even longer. I was very far behind at that point. A month or longer. It didn't line up correctly. Pictures weren't there, or any the wrong places. And if I tried to use the reader on my computer, it would jump from the picture captions back to the context of the chapter. And it was frustrating. And I decide id that it would just be

easier if I bought the textbook, and used my magnification system as well as I could.

ANDREW FRIEDMAN: The E-book that you were getting was from the disability office, not a commercial product.

KATHERINE SCHARF: Right. I don't know where they get those from.

GEORGE KERSCHER: Have you found any digital versions of books now, E-books that work for you?

KATHERINE SCHARF: No. I have not. I taught myself how to go through school. I am now going into the graduate program through UB. But it's online. Digital, it draws me in. It's a lot easier. I have other reasons for doing it. But I hope that through my computer, can I do it a lot easier. I'm hoping that the advancement in the technology in the books, can offer me an easier time.

Are you using screen magnification.

KATHERINE SCHARF: I'm using screen text.

GEORGE KERSCHER: How is it reading web pages with that technology? Normal web pages? Normal web pages?

KATHERINE SCHARF: It takes getting used to. I am able to do it fine now. Luckily, I have been given a large screen. So I can zoom in and see most of the page on a laptop. I can scroll over, and scroll down. And back and forth a lot of times. It's time consuming. It's confusing.

GAEIR DIETRICH: Commission members? Other questions? Thank you very much Katherine for helping us to understand your experience.

KATHERINE SCHARF: Thank you.

[Applause]

GAEIR DIETRICH: Is Tammy Bottle in the room yet? Excuse me. Currently I have just three more people scheduled to present. I am Bree, Scott, and Tammy Bottle. Is there anybody else in the room who would like to speak to the commission, would you please let us know that at this time? Scott?

SCOTT VALVERDE: Now?

GAEIR DIETRICH: M-hmm. Welcome.

SCOTT VALVERDE: Thank you. Hello. Thank you. My name is Scott Valverde. And I am here representing the California community college chancellor's office. I am an education specialist in the community college chancellor's office. And like most of those who have testified this afternoon, I do not work in the DSS officer, but am responsible for the oversight of a large system of DSS offices. In fact, the largest. My perspective is a little different. My responsibilities are the budget, and administrative oversight. In California. And in that role, I'm very interested, and our system is very interested, and those within our office are very interested of the work of the committee, and the recommendations moving forward. We serve over 3 million students per year. Current data, most recent

data that we have is 125,000 students we served in the disability offices. We know that that number is actually quite higher than that currently.

So I'm here, for no other reason, the potential positive impact of the recommendations that the commission that considering, would have a huge impact on our system, and the students that we serve. And the other thing that I wanted to talk about that hasn't been talked about too much is not only the protection of the civil right and legal right -- and also the student and access issue of getting the access material to students in a timely manner. But it's also a major budget issue, as well. Simply because, in California, which is all I can speak to, of course, is that we have suffered significant, significant devastating budget cut to the tune of 40%, and some are highly larger than that. To help the colleges comply with the requirements under ADA and 504 and other state and federal statute. Really torn apart. So anything and everything that would help increase a short turn around time to provide better service to the students, we're very supportive of. Gaeir, yesterday talked about sort of a work flow, when a student is meeting with someone in a DSS office, they know what a disability services, and they need a book. And this is the process that begins. And she talked about going to book share, and going to the access text network. Well, in California, what we're dealing with right now is just an incredible amount of time, just a leading up to get to that point. Just getting students in the door. Getting them determined and eligible. Developing their ed plan

with a 40% cut to services, to staff, excuse me. Which increased bottlenecks. They're already behind the eight ball. If it shortens that, that is something our system would support. It's not all doom and gloom in California. I would be remised if I didn't mention. We have the captioning law, and the E-text production law. That we talked about yesterday and today. We have categorical funding for our DSS offices. We have a strong working relationship with our professional association to do training. Some of the recommendations that are on the table that really ring as excrieling are the ones about faculty development and training, because we put such an emphasis on that in California, and we see such a positive impact. And also, I just wanted to say on the record how excited and proud and honored we are to have a member of our committee here. Thank you.

GAEIR DIETRICH: This is a unique perspective. From a system-level perspective. So I hope we have some questions for Scott.

GLINDA HILL: I'm from the U.S. Department of Education. You were talking about the cost. How do you deal with the cost? In your individual universities?

SCOTT VALVERDE: Let me put it this way. We were \$118 million program, and now we've been cut to \$69 million. So we had a lot in place to make sure that student's accommodations have been met. Now with a push back that the students applied to those colleges, is how do we provide these services. A

budget cut does not alleviate your position to provide for students who very disabilities. Our message has been whatever it take to cover those costs, you have to find within your general fund or other resources. And that is sort of a training and technical assistance approach that we have tried to systematically to tell the colleges, and the CEOs, some of which are getting it more than others. Particularly, some of our rural and smaller campuses, we're talking a staff of four being down to a half of a position. We have people taking over who have no background in serving this population, and no knowledge of the requirements. So my role is to address that sis systematically, and what those have are.

GLINDA HILL: I know that that you have such a good systemic program, too. I didn't know if you had back up, and support services across your university as well.

SCOTT VALVERDE: We do. We have some shared resources. We have three centers. We have the alternate tech production center, which is a grant-funded program. We also have a grant that funds captioning and distance education courses, specifically. Now we have more and more colleges relying on those and other outside resources as well. Which we expected to be a result, but we're definitely focusing on it.

GLINDA HILL: I come from K-12. But we have programs training teaches with special education. And we're hearing of all of the cuts that we are

having. So thank you so much. May I call on you from time to time.

SCOTT VALVERDE: Absolutely.

GAEIR DIETRICH: Commission members. Other questions?

JAMES FRUCHTERMAN: Beyond the support for more faculty development training, were there a couple of things that you really wanted to make sure to emphasize that we pay attention to?

SCOTT VALVERDE: That was a big one. And I also think that out of the box accessibility, of digital born instruction materials, I think is huge. Anything that supports universal design, accessibility on the front end. Anyway that we can support that that we can see that supported through federal legislation. It is all appreciated, and in line with all of the things that we have prioritized as well. We recently have done a state-wide guidelines on the accessibility of online courses. And emphasizing front-end universal design accessibility on the front end. That would be another one. And anything that talks about timely delivery.

GAEIR DIETRICH: And I would also like to express my appreciation for the support that I have always gotten from our chancellor's office to be able to participate in a national level, because my funding is to serve the California community colleges, all the 112 of them. But they have really supported me in being active with AHEAD. Also to allow to people to come to our training for free, on a space available

basis, to make our lists completely, freely available, and all the curriculum guidelines that we have on our website is free to everyone, including students. So I would like to publicly thank Scott, because I am just really glad that you are willing to support me on that level of giving. Thank you for speaking.

[Applause]

GAEIR DIETRICH: Okay. Our next speaker is actually due to be here at 6:45. So let's take a short break please, and be back in your seats at 6:45.

(Break)

GAEIR DIETRICH: Okay, commission members. Can I ask you to resume your seats again, please.

IAN CAMPBELL: And if possible, I'm joined by colleague, Justin Bell.

GAEIR DIETRICH: You'll have five minutes, uninterrupted to tell us what you would like to hear. And then there is ten minutes for the commission to ask questions. So are you each going to want to?

IAN CAMPBELL: I think we are just going to work off of each other. So I think we are going to try to work together, if that is all right.

GAEIR DIETRICH: Wonderful.

IAN CAMPBELL: My name is Ian Campbell, and I am the -- director for disability services at Central University. I am primarily serving institutions in the state of Washington. We are very fortunate to be in

a fairly legislatively progressive state here in Washington. In 1994, on the heels of the Americans with disabilities act, there was legislation that was passed in the Washington state laws against discrimination called the core services act. This broke down what the legally mandated services for students should be in the state of Washington. I quote in -- one item that is listed. It's textbooks and other educational materials, including, but not limited to Braille, large-print, and audio tape. Feedback that we get from our colleagues, and other students that transfer to our institution, really, the level of alternative format, that is offered to students, depends significantly to upon the ability of each institution to offer those services. It shifted the burden of alternative format to publishing companies themselves. Because the expense was so large. What we have seen is responses to that legislation has definitely evolved over time. It has gotten better. But there are still a lot of problems. Our Washington state legislation is RC -- 28B.9096. And again, that legislation put the expense of producing expensive alternative publishing on publishing company. It needs to be providing an accessible version of that. At the time, our statewide professional organization, I was sitting at the technical advisor to the board of WAPED. Washington association of post secondary education and accessibility. And we immediately brought in the American publishing association, and other very large publishing company to discuss how this legislation would happen. What their response would be. And they expressed a lot of knowingness. They

expressed they were interested in moving forward to pick up the costs of these services, and offering these educational materials directly to students. Again, response over time has grown, but there are limitations, especially in the area of science, engineering, and mathematics. And also, students will come in who are used to using a different platform, and the file for the publishing company is not going to be appropriate for the technological platform that you're using. WAPED brought in the Washington state commission that would over see any issues with discrimination in the state of Washington. And their response to this alt media legislation, even if publishing companies are not going to assist, individual institutions have a large legal responsibility to provide this, regardless of what their capacity is. Our response was to create and grow a centralized processing center. And we were interested originally in finding some state funding to do that. And we were not able to do that. So we have grown a fee for service type of program selling production of all format and accessible material to other institutions. And we are currently serving about a third of the 54 higher educational institutions in the state of Washington. Unfortunately, access to our services is absolutely dependent on the budgetary constraints of disability services departments, and that should not be the case. We are currently continuing to seek appropriation money in order to offer these service to students of Washington state. Disability students of Washington state, but it's not currently happening. Ask I know as a fact that there are a lot of students

in the state who aren't able to find appropriate educational materials. And there are current Office of Civil Rights complaints in process, because of a lack of funding, basically. So yeah, speaking a little bit more about the lack of responsiveness maybe from publishing companies that we're currently experiencing. And I don't want to make this any type of a slam fest on publishing companies, because I think that they're doing everything that they can do. But the reality is that we're not quite getting what we need from publishing companies. That is how our laws are read in Washington state. To speak about those limitations, I wanted to turn it over to Justin Bell.

JUSTIN BELL: Justin Bell, coordinator of the access technology center at central Washington university. And current technical advisor. And the recent legislation that he 28B10916 is instructional materials for students with print accessibility -- and it reads that any publisher that supplies instructional material to institutions of higher ed is supposed to provide a mutually agreed upon format. Something mutually agreed upon by the publishers of that content, for audio, video, and textbooks, usually agreed upon by the publisher, and the student who requires that material. Currently, we're requesting alternative format materials for all of the textbooks for all of our access capabilities. Were almost exclusively PDF files. PDF files work fairly well for students with learning disabilities. But as long as there is no math or science content present. And the situation that we're getting into, is that we

have students that are taking math classes and science classes, and they don't have any way of having these textbooks read aloud to them. And there are a lot of very labor intensive processes to turn these materials into accessible materials. And you know, books costing upwards of tens of thousands of dollars to process. So this is creating actually, a burden on our budgets, and also, I wouldn't believe that every student who can benefit from these materials has equal access to them.

GAEIR DIETRICH: Thank you. Commission members, questions?

ANDREW FRIEDMAN: Can you tell us a little bit about your process to make math books available. You said it costs tens of thousands of dollars.

That first depends on what the student's limitations are, and what that format would be. Mathematics Braille is probably the most time intensive format to create. But we do math page files and DAISY files as well, that have math mark up language.

We chop the binding up on the textbook, and go through the normal scan process. And it's been around for a while. It's fairly experimental. The INFTY. That allows us to do optimal character recognition on mathematic materials. We have to go page by page to clear out any graphic art facts. We get fairly decent accuracy. But we have to go through page by page, and make sure everything is correct. So we need to use employees that are well versed in a specific curriculum. Something who

understands all of the vocabulary. And somebody who is able to write what this imagine means to a blind student. If we are writing Nemeth-coded math Braille, we have to put everything into a tactile -- we are using paper that costs a dollar a page.

JIM WENDORF: You're becoming inaudible.

GAEIR DIETRICH: Other questions?

JIM FRUCHTERMAN: Probably the standard question. What should we do? Specifically?

I would like to see the universal standard of accessibility come from publishing companies. I think we're in a business where we are helping a lot of other schools, and a lot of the students. But it's a business that we really shouldn't have to be in. We should have students with the abilities to purchase their materials directly from publishing companies. Kind of more of a universal design approach, to where they have purchased them directly in accessible form, and kind of taken the whole processing step out of the situation.

And disability services, it has been said for a long time. We have succeeded when we have put ourselves out of business. When we no longer have a process to make ourselves accessible. When a student can buy it online, students with disabilities should have that same access. I think that is an ideal. And we're not there now, obviously. In the meantime, I think there still need to be standardization. What is an appropriate alt media accommodation, needs to be more determined, I

think, and established. I also think there need to be funding, for centralized processing centers, so that individual institutions, and students with disabilities at those institutions, don't have limited access, because their disability services offices doesn't have the money for it. And that is a reality that we face every day in consulting and working with our clients.

GAEIR DIETRICH: Other questions? I really appreciate the point that you raised right at the end. Because we are in a situation now where really, a student with a need for a print accommodation is best served by shopping for the disability services office, who can meet their needs, as opposed to the school that actually might be best for them for their major and career goals. And that doesn't seem quite right to me. Thank you for testifying. We really appreciate it.

[Applause]

GAEIR DIETRICH: Okay. I know he was here a second okay. Scott Lissner, from the Ohio State University.

Tammy.

GAEIR DIETRICH: Okay, you're up at 7:30, but if Scott is willing to swap with you. So Tammy, you're welcome. You'll speak for five minutes or so on whatever it is that you would like to testify to before the commission, and then the commission will have about ten minutes to ask you questions. So commission members, let's introduce yourself. So how about if Andrew starts this time.

ANDREW FRIEDMAN: I'm not sure I can go this way.

BETSEY WIEGMAN: U.S. Department of Education  
Office of Civil Rights.

MARK RICCOBONO: With the national federation of  
the blind.

KURT HERZER: Medical student at Johns Hopkins.

CHESTER FINN: With the national council on  
disabilities.

DAVID BERTHIAUME: From the U.S. Department of  
Education.

GAEIR DIETRICH: From the California community  
colleges representing 2-year schools and also your  
commission chair.

JIM WENDORF: From the national center of learning  
disabilities, and vice chair.

CHRISTOPHER REED: From the U.S. copyright office.

SKIP STAHL: From CAST, supporting the work of the  
commission.

GLINDA HILL: I'm representing the assistive  
secretary of the office of special education, and  
rehabilitative services.

GEORGE KERSCHER: I'm independent.

ASHLEE KEPHART: Student --

LIZANNE DESTEFANO DESTEFANO: University of  
Illinois.

JIM FRUCHTERMAN: -- --

That was a stealth introduction.

Can you get a little closer to the mic here.

TAMMY BOTTLE: I would like to thank you for your time and attention, and for this form to be able to state concerns. And so I chose to participate in this because there are a few things in having been in the open hearings, concerns that I had. And with the report, in terms of stakeholder impact, and the statement in regard to faculty, I believe that the statement that is here should not be published. I believe it enforces the expectations for faculty, and it's somewhat unrealistic. We do have professors, who are highly educated people, as they have demonstrated, are capable of learning. So I think it may be beneficial, to look to further education of faculty members, and secondary educators. My background is in public education, and in that that sector of education, continuing education is required. I believe that, I absolutely believe that we can educate our faculty members to the basics of the formatting that enables accessible documents and multimedia. And then to go onto, I also believe that in terms of strategy, I am very new to this field, so I haven't had the opportunity to listen to many of these forums, however, I believe it would be an effective strategy to incorporate other technology initiatives that are underway into the considerations that the commission is discussing and choosing to incorporate in their report. Specifically pertaining to motivating industry. I think that there are many

things that are underway that are being addressed by the information technology council, as well as the 2010 ADA updates, and I think that, I believe that that would be a, I believe that those things would be, I believe that they would be good bodies of, God, the word escapes me. Try to elaborate further on what is trying to be accomplished by this commission to serve the students with disabilities in secondary education. And then I think that there may be, like the larger forum, in the general applicability of the improvements that this type of information or these types of resources will be for alternate learners, is I think that it would be beneficial.

GAEIR DIETRICH: Thank you. Breathe. (Laughing) Okay, just to get on record, it's Tammy Bottle. And you're at Ashford University. Which state is that?

TAMMY BOTTLE: California. We're based in the state of California. But the main campus is in Iowa.

GAEIR DIETRICH: Are you also creating alternate media for your students in.

TAMMY BOTTLE: Yes.

GAEIR DIETRICH: Have you adopted any strategies for making sure that your faculty are putting accessibility formats online.

TAMMY BOTTLE: I believe that the structure that we have employed with our university is somewhat different, because it's predominantly online. We have an academics team that has built a, they built essentially, for all intensive purpose, it's a template

that individual instructors can plug their supplemental materials into, as well as their own commentary, to individualize their instructional approach.

GAEIR DIETRICH: So the template is accessible, so whatever they put in there will be accessible as well.

TAMMY BOTTLE: 90% of the time. The largest challenge that we face is with captioning. That's the largest challenge.

GAEIR DIETRICH: So since you are doing a lot of online education, is there any sort of training that your faculty members go through to prepare them to teach online?

TAMMY BOTTLE: I cannot speak to that. As I stated, I am new. So the hiring requirements that the university has, I cannot speak knowledge to. I am sorry.

GAEIR DIETRICH: I was wondering if they have any understanding of accessibility issues.

TAMMY BOTTLE: Drawing on my experiences in K-12 education, I would say that, you got a body of instructors that know, and then you have a body of instructors that don't know. Some that are willing to, and some that just don't care.

GAEIR DIETRICH: And we hope they retire soon.

(Laughter).

TAMMY BOTTLE: It's problematic when they're young. So in my experience that the faculty that they have in the online setting is representative of brick and mortar. I wouldn't say that there is any difference there. So the ones that don't know, they sometimes, it takes different levels of persuasion. It should really be done this way, and then pat their hand, and off they go. And other ones, you have to say this is the letter of the law. And unless you want to put us at higher risk, then the choice is yours. But as far as we're concerned, you must change it.

I think that there is a lot to be said for personal accountability. Especially on the level of faculty. And I think that the teeth that are missing from the laws that we have in place are enforcement. And correct me if I'm wrong. I may be ignorant of this, however, what I have seen is that universities as a whole are held accountable for accessibility, however when you have the one-offs with faculty, regardless of how many times you say you must, you must, you must. Here are the materials, you're largely dependent on what individual, determines whether or not they're going to employ that resource. And I think when we get to the point when there is an ability for university to hold their faculty individually accountable, and you know, and whatever means necessary. And I'm not even going to venture onto that. But I think that that may be some important, you know, something to examine at least. And put up near the microscope.

GAEIR DIETRICH: Thank you. Commission members. Questions?

BETSEY WIEGMAN: I had a quick one. You mentioned a comment about the language in your report regarding faculty. Could you point us to the language?

TAMMY BOTTLE: Specifically. For faculty, format is a -- at best, and accessibility mandates are hard to enforce in individual faculty members. Even if they want to do the right format, it's difficult for faculty to become experts in the technical nuances of formats. That's a hall pass. I think that language should be modified. So faculty has the ability to become familiar with the basics of formatting, and should be accountable for standard.

GAEIR DIETRICH: Which page of the report is that from? Just so we have an understanding of where exactly we should be looking?

TAMMY BOTTLE: On the print out that I have, it's page 6 at the bottom. The heading is stakeholder impact. Subheading one, student, subheading two, faculty.

GAEIR DIETRICH: Okay, thank you so much.

[Applause]

GAEIR DIETRICH: Okay, Scott. Your turn.

SCOTT LISSNER: Is it my turn?

GAEIR DIETRICH: It's your turn.

GAEIR DIETRICH: So you have been here, and you have heard the introductions. And you can introduce

yourself please. I think the commission might remember you from Ohio.

SCOTT LISSNER: I'm the Americans with disabilities act coordinator and compliance officer for the Ohio State University. And I am also an officer from the higher education and disability, and -- and I have got so much to say, and so little time. As a starting point, the first thing that I thought of was a commercial that I'm getting really tired of seeing on television. It's iPad or Kindle. It's one of those pieces of technology. Now you can sit down and listen to the newspaper, cuddle up with a movie. Dot, dot, dot. I know the mandate for the commission was to look principally at material, but the definition of textbook has changed. If you don't look at multimedia, you will be doing all of us a terrible disservice. That stuff exists, and is more of what we're requiring of students. On our own campus, our alt media unit has much less trouble dealing with materials. They have less trouble with that, than dealing with the online material. On sheer volume alone, there is more information being provided digitally than in print. When it comes to course material, it needs looks at by our disability services office. So you need to tend to those.

Another thing that I would like the commission to keep in mind, I am an ADA compliance officer. We are coming up on the 21th anniversary of the ADA. At that point, I can walk through this hotel, and down the street, and find 25 or 30 out of compliance issues with the ADA without looking really hard. Being nice, and suggesting voluntary compliance is

not a really effective route to get compliance. Even when it's required, it's difficult to get compliance, and I would encourage the commission to make strong recommendations toward those areas of developing standards toward compliance. I have a couple of more focused comments that were linked to the specific recommendations that came out. I don't know how much progress you guys have made in the last couple of days. And I imagine some of my comments are totally irrelevant, because I want able to follow. I was downstairs doing presentations. But I'll throw those out there. There were several places in recommendation number three amongst rights holders, and individuals at universities. I see all of that area as special case, or covered by fair use. If I demonstrate that I have the right to a text, and the university simply helps me reproduce that text in an alternative format, and we're not selling the text or giving it away, and I keep both copies, so only one, so to speak, is in circulation, I see how that is a violation of copyright. So I would kind of suggest framing those recommendations. I like the recommendation in number eight about encouraging the actual application of the piece of higher education act that says that faculty and universities need to make public the course materials that they have selected, and provide that information. I would even go so far as to suggest that when the next opportunity arises with higher education act, they might actually that an enforceable piece of the act, rather than you should just do this with no consequence. Because I think that is actually one of those places where you can truly motivate

universities in a way that hasn't happened in the place.

In recommendation 6, and kind of related to that in my mind was recommendation 15. You talked about institutions of higher education, developing the capacity to find the materials. There may be some relevance to that, to preexisting materials that are already out there. But there need to be some indication, that the responsibility of creating accessible materials when the materials are created are in line with the creator, otherwise we're all in the rehab business, and those things are a waste of resources, and a waste of time, and much less efficient than doing it up front. I would rather pay for it because the cost of the textbook went up, rather than I had to pay for five people to create in a semi-publishing company down the hall.

I think education on campuses is certainly an important issue, I think if you create a standard and a requirement for access that education will take care of itself, I think part of what need to be communicated in that standard, or frame, is that colleges and universities need to treat access much like we treat, or often treat security, electronic, web based security, and property rights issues. I don't know many colleges in the country who don't spend a fairly large amount of time conveying those issue to faculty and staff, and letting them know what their obligations are.

They do that because people actually enforce copyright. And people actually enforce or get dinged

for having poor security. But because there are consequences to not doing those things. And I think access needs to be clearly defined. Those are the major points that I wanted to make. I guess the other point that I wanted to make is while identifying a technical standard is useful and practical in many ways, I think the enforcing the work that has been done recently by the Department of Justice, and the Department of Education, on using the 504, and ADA standard of substantially equivalent of ease of use, has to be the head lead in, because technology will change tomorrow.

So those are probably, or at least the main points that I wanted to make.

GAEIR DIETRICH: Thank you so much, Scott. Commission members, questions for Scott?

JIM FRUCHTERMAN: The first point, which is sanction sharing among universities. At least, I think that is what you were talking about.

SCOTT LISSNER: Recommendation number 3 that came out a week or so ago had three different elements of exchanging, sanctioning exchange of material. One was from university to university. One was from rights holder to university, and one was between libraries.

JIM FRUCHTERMAN: And you said you thought that was covered by fair use. Producing a book for a student who has bought a book, I don't know. But if you took an accessible version, and sent it out to

100 universities today. The reason we don't think that is probably not fair use.

SCOTT LISSNER: There was a piece missing in the brevity of my statement, and boy I rarely get to say my statement was brief.

(Laughter).

SCOTT LISSNER: It demonstrates that they purchased a copy of the book. That idea, that when I create an accessible text for a student, I do create what is potentially a master file, when I create it. I give everything to the student, and delete everything in my hard drive. That is one way to protect that. I can hold onto that. I can hold onto that, and save universities across the country the expense of recreating that document. That if you demonstrate that that individual has owner right property rights. It only goes to individuals with property rights, that it's not sold. That that archived copy is not infringing on anyone's individual property rights. As long as it's not distributed without proof of access.

GAEIR DIETRICH: Other questions for Scott? Okay. Thank you so much for those comments. Really appreciate.

[Applause]

SCOTT LISSNER: You're welcome.

GAEIR DIETRICH: Okay. Next we have Kelly Hermann. Is Kelly here? Welcome Kelly.

GAEIR DIETRICH: Okay, I'm not sure how long you have been in the room. But we allow you to speak for about 5 minute, and then we have 10 minutes of questions.

KELLY HERMANN: My name is Kelly Hermann. I am the director of disability services at Empire College, which is a member of the State University of New York. 40% of our enrollment is online. I'm also a member of the New York state instructional materials advisory council. And I am also the chair for the AHEAD standing committee on budgetary affairs and public policy. A couple of the commenters spoke about the issues that I was going to speak about. So I'll follow up on those. But I wanted to talk about the standard of accessible format should look like. I work with a lot of students, these students have never been introduced to a lot of pieces to using electronic formatted textbooks. And the technology can certainly be a barrier. And I would certainly recommend to the commission, to keep in mind the flexibility that some of our students may need with different formats, for different purposes. Many of the students I work with have traumatic injuries, have acquired their disabilities later in life, and have gotten use to what it mean to be a student with a disability, and then adding one more item that they have to learn, can sometimes be the difference between their success and failure in higher education. So I certainly advocate for, certainly when we're talking about students who are blind, that the format is definitely one that we want to uphold and recommend. But for many of the students I work

with, they are looking to use other types of formats. And I wouldn't want that to get lost. I have many students who can work with an accessible PDF, because they can put it on their Kindle, and they can use it. When I had the chance to look through the recommendations that the commission put out. Looking at digit rights access can sometimes preclude access to those student who is need it the most. And that is the only way that are going to get access, if they can't get that book in another format. In New York, the student need to purchase a printed copy, under the 219 law. Then the publisher the tells us you need to purchase this copy, as well. We're requiring student to purchase books that they cannot use. In New York, the student has to go through the disability services office. And I want to be out of the middle. I don't want to be the person in between the student and their instructional materials. Whether that is their textbook. And as Scott just mentioned, the definition of textbook is changing. Many of our courses are using things like the Pearson mind blank labs. The math labs, the reading labs, the writing labs. Those aren't just online activities. They also have a significant textbook quality and field to them. Working with our directors of academic support, those are tools that we use with our students. Because they are more appropriate for adult students, than some of the more traditional materials that have been used in the past. Because they don't talk down to the students, like they are in 4th grade. So I can certainly tell you in the 6 and a half years that I have been with Empire State College, I have been affiliated with

technology, the technology rapidly changes. What we're talking about now is not what we're going to be talking about a year from now. Education has not kept pace with what the technology can and cannot do. And we, you know, are really putting our students at disadvantage if we're not keeping up with that. Gaeir, you asked two commenters ago, you talked about putting instructional -- online. It doesn't happen. A series of checks, before they are allowed to be put up. But those are the institutions that are very much invested in online learning. And they bill themselves as online learning institutions. Most of the institutions that are represented here add AHEAD are institutions that don't want to miss out on the boat. So they're allowing faculty to put up whatever they want to put up. That is certainly not the case at my institutions. Their training is not what it should be. Or how to program for it. Or how to make it multimedia accessible. Or how to make it accessible for individuals with disabilities. That is something that we have to keep in mind, along with the changing definition of what instructional materials are. For those who are responsible for putting it up don't know what they're doing. Also, I want to highlight as well the compliance issue. Looking at how publishers respond to us, most of the larger publishing houses are very, very good to work with. They're very collaborative. They're looking to work with us to get materials for the students in the best way possible. But there really isn't an enforcement component to our state law. Also, from our state law perspective, we have concluded a sunset clause in the law, we have had to renew that

twice. That is something we are very much looking forward, when we don't need a law. So we don't have to keep going back to our legislature, and asking them to extend chapter 219. I think those were the comments I wanted to make.

GAEIR DIETRICH: Questions? Well, since I heard you speak before, could you just briefly what you are doing with your veterans in alternative media.

KELLY HERMANN: Sure. Getting our veteran student population to come to us and ask for help is probably our biggest problem. We have done quite a bit of work with them to bridge that gap. Once we get the veterans connected with our office, we are very fortunate that we have our system down pretty well in terms of how we develop our alternative media, and how we work with our students. Most of our students are student who is have acquired disabilities later in life, and a lot of hand holding, and going back and checking with them, and following up with my staff with the student to make sure it's working in the way that we intended it to work. So we are doing primarily electronic text. We are teaching them how to use some of the pre-tools that are available, especially if we are waiting for the DA, to get them the technology that they need. If they are still active duty, we still have some students that are. We are trying to connect with the computers accommodation program, with the Department of Defense. We have had good luck with that. Basically, the primary concern isn't so much with getting them the books, but more so getting them the training they need to use them effectively.

GAEIR DIETRICH: Great. Any other questions for Kelly? Thank you so much for speaking.

[Applause]

GAEIR DIETRICH: Is Aura Hirshman. Did I say that right?

AURA HIRSHMAN: Yes, thank you.

AURA HIRSHMAN: Thank you for the opportunity to speak today. I am an outreach and training coordinator, field coordinator for universal design at the rehabilitation research design and disability center, which we commonly refer to as the R2D2 center, at the University of Wisconsin in Milwaukee. And I have been working for five and a half years to ensure that students with disability receive a higher education. I am active with the University of Wisconsin president's advisory committee on disability issues. I have been a member of AHEAD for five years, and WIAHESD for two or three years, since the beginning. Oftentimes transition is interpreted as high school to college. My work experience in higher education has been transitioning students from higher education into the work world. Assistance with job placement, and job readiness skills. I have been involved in the demo projects. I have been involved in two different ones of promoting universal design on higher education services. I have a high concern that the money is drying up. I don't know how to put it, because I don't know why that's happening. But I know that this would be a year and a time that the demo

projects would ordinarily be offering opportunities, and this is not happening, and we are not hearing any new calls for proposals will be coming out in the near future. And I'm greatly concerned about this. I think that the demonstration projects have been doing phenomenal work across the country. In our particular area, we have been working hard on issues of how to train campus personnel. We have been working with faculty, administrators, service people, virtually everyone on campus to increase the accessibility on our campus. We have departmental accessibility resource coordinators. It's our way to ensure that universal design is attended to on all levels of the university. It's not just an initiative that is commission bound, but it's a grass roots movement that is defused in every department. But we are created resources that are promoting strategies to promote universal design in the classroom, and on the campus. Particularly with an emphasis on measuring the accessibility on the campus. And then we have worked very hard to disseminate these resources at conferences here at AHEAD. At AOTA, at RESNA conferences. We have replicated our ideas on my system campuses, and other campuses in the region to some success. And one of the things that I have learned is education of faculty, and I respectfully disagree with Scott's statement. And I'm sorry I'm not going to be able to quote it exactly. He indicated that he thought faculty would be able to pick up on information that is delivered to them. I don't think that happens based on my own experience without some incentives. And the other piece, in regard to

dissemination, is that the project officer was phenomenal with get to congress what we were doing. And provide information about what was successful in what we were doing, and what our own recommendations were to get campuses to become more accessible through process of universal design. What I would like to do is sort of make a plea today that campuses really need tool to create their own methods of captioning, and also video description. I am new to this, but I know that video description is somewhat in its infancy. In terms of its youth. And it's equal important to captioning, and deserving of attention. And both of those need to be provided on campuses in usable formats, and training and expertise in many arenas. And I get back to the demo projects, and perhaps the Department of Education and look at them for instructional materials, -- with an emphasis on accessible instructional materials, and with an emphasis on measuring how we're doing with accessibility within the context of materials. I would like to propose that new instructional materials, whether they be books, websites, content management system, clickers for use in the classroom, that these materials should have some type of an accessibility score, some type of a standard for which to strive for. And I don't know exactly how you would do that, but I think it's possible to implement some kind of a reading score that campuses and personnel can be looking towards setting a goal to achieve.

GAEIR DIETRICH: One minute. Oh, perfect. Okay. (Laughing) Questions?

GLINDA HILL: It's good to hear that you thought the model demonstration projects were doing what they are supposed to do. I am not from the office of post secondary education, but I will convey that information. And thank you for that. Budget cuts, I'm sure that's something to do with it. I don't know why the programs were not announced. But will you speak to us a little bit about model demonstrations, and tell us a little bit about the kind of project you had in mind. What was expected of you in model demonstration of the project.

AURA HIRSHMAN: Well the demonstration project, were as I said, to ensure quality higher education for students with disabilities. And there were approximately 20 different projects across the country. I would say at least half of those projects were implementing some type of higher education techniques. All areas of education, or UDL, or universal design for instruction. People have different approaches for these. And people were trying on these different projects on different campuses, various ways to train faculty to see what works and what doesn't work. And what we need to be doing in the future to ensure that this is self-sustaining. The demonstration projects are starting things, and what can we do when we're successful to ensure that our campuses will ensure those processes.

Without the federal funding.

AURA HIRSHMAN: Correct.

When we have done model demonstration projects, we do clusters like you're talking about. But we also do an evaluation project. That pulls all these projects together. Do you have something like that, a center that evaluates all of the projects?

AURA HIRSHMAN: No, but I thank you for bringing that up. But that was a comment that was made in our congressional report. The materials that they are doing, the things they were created.

GLINDA HILL: I didn't know if your projects did or not. But thank you.

GAEIR DIETRICH: Other questions? I have a couple of questions. The results of these UDI and UDL projects, are those available anywhere online?

AURA HIRSHMAN: Some of the projects do have their own websites, where they have made available to the public what they're doing. I can't speak for all of them as to how it's available to find out the information. But that speaks to the need for some type of a center to collate, and disseminate that information.

GAEIR DIETRICH: Okay. And my other question is, you said something very interesting. You said that each department has an accessibility resource coordinator. What does that look like?

AURA HIRSHMAN: Each campus has its own organization for how they have departments and colleges, and what structure they have. And our attempt was to find somebody that would be a

representative, a conduit of sorts, for us, as project personnel, and also working with our technology center, and our excellence in teaching and learning center, to learn some of the basics of universal design, and to disseminate to their department. We did various things like send out universal design tips to the representatives in the departments, and we would expect them to bring these things up in their department meetings, or share in the elevator, informally. Be the conduits to disseminate the information, pushing out the resources, and giving out ideas. Can I make another comment? One of the best ways for faculty to adopt new practices is through each other. There is no doubt in my mind.

GAEIR DIETRICH: No other questions? Okay. Thank you for taking the time to speak with us.

[Applause]

GAEIR DIETRICH: Okay. Next, we have Lucia Hasty.

GAEIR DIETRICH: If you can introduce yourself, please.

LUCIA HASTY: My disclaimer is Gaeir made me do this. I'm from Colorado. My background is in special education, K-12. For over 40 years, I have taught students with emotional behavioral disorders, which isn't in legal terminology. Most of my time has been working with students with visual impairment. I tried to require a while back. And when I did, I was director of Colorado's -- and alternate media was our responsibility for K-12 throughout the state. And then what happened is that requirement didn't

exactly work. And then what we do is I consult a number of our colleges. For the blind and visually impaired. I do a lot of staff. And so that is what my background is. In the best of all worlds, when all these recommendations are accepted and are taken on, there going to be high-quality alternate media materials all over the country. The biggest problem that I see at this point is that the students who are entering college will not be prepared to use them. And I train teachers who are visually impaired all over the country. And I see this in every single state. There seems to be a disconnect between K-12 system, and what they think that students are going to be able to need to do when they get to college. They remember college when they went to college a thousand years ago. So our students are coming out of high school, not really prepared. And what Kelly said. They may have learned one screen reader, but that may not be the one on all of the computers at the colleges. So they're stuck. They may or may not have used any DAISY files. They're not very flexible. They also, many of them, have not had the opportunity to access online materials. So they don't know how to actually access those materials that are so heavily engrained in post secondary curriculum. They also don't know how to choose different formats for different tasks. If they're used to tapes, they may decide to get a calculus book on tape. I can't even imagine how you can do that. Because at the K-12 level, we have not given students the full experience about that. The little pockets around that, kind of dealing with this issue. CAST has done a wonderful job, dealing with those things online.

National federation of the blind has a wonderful summer program. Students really involved in all kinds of activities. Book share has been doing some regional trainings, about how to go about using their files for bits and pieces of this. But what I would ask this commission to consider adding to this whole thing is look at how to bridge that gap between K- 12 and post secondary. And designing, or collecting all these bits and pieces of information that we have to pull together some training materials to make a more consistent body of knowledge that is easily accessible for K-12 people. So K-12 staff. So that they are, Glinda -- (Laughing) So that when students come out of the K-12 system, they are able to make an easier transition into college. I just came back to one of the state colleges. I'm not sure why the student chose to go through. It's like in the snowy part of the state. There is not one taxi in the town. There is no public transportation either. She had never been there, but she tried to go through. She's a music major, who is a Braille leader. Sometimes she uses screen readers. And she had no idea what was going to be expected of her when she got to college. And they didn't know what to do with her either. But I'm seeing that all over the country, not just Colorado. They really don't know what to train their student to be able to do when they get to college. So I would like to see some programs around bridging that gap. I think that would be the thing. I think the same thing is true for wounded warriors. They have not been through the special ed system. They have no idea about how to go about identifying, and they're going to be

embarrassed. They don't know how to access anything that is different than what they are used to expecting. And as Kelly said, they're probably not going to ask about that either. If there is some sort of a training program, or a body of knowledge, or whatever, pulling together all the bits and pieces that are out there, that can work wonderfully well for alternate learners.

SKIP STAHL: Good to see you. So the transition discussion, you know, comes in and out a few times. The commission work. It's interesting to me. The one thing that actually hasn't come up is the whole summary of performance document that was part of the reauthorization of the higher education opportunity act. Where secondary schools would create a document that would travel with a student either to post high school employment, or to a post secondary setting. And I'm wondering if you have come across any circumstances where SOP, summary of performance has been in any way effective in carrying some information. Because part of that is giving the student with some self-advocacy, and how their disability impacts their functional academics.

LUCIA HASTY: I'm going to try not to have a teretes response to transition. We are doing a terrible job with transition. The place I see with portfolios most successfully used are with students with developmental disabilities, I see it happening there. I know one school district, not in Colorado that used portfolios with blind kids. We're not doing it. When

you ask about that, the K-12 folks don't seem to have any sense that that's important.

SKIP STAHL: And also, there is some resistance among the post secondary performance. Because of bridging. Yeah. So it's an interesting model that's built into some existing statutes.

LUCIA HASTY: And I think we need to invest a whole lot more energy in the transition process. You can get a wonderful chunk of information in K-12. Great skills. But it's a different world when you go to college, or vocational school. You leave K-12. All bets are off. None of the rules are the same. And I think we're not doing what we should in making that transition, which makes your job at post secondary, way more difficult.

GLINDA HILL: Comment on transition. Transition doesn't work. Through the age span. I'm think you hear it birth to 3. Between that transition between 3-4. When they go into part B of IBEA. You hear it in kindergarten through all the grades.

LUCIA HASTY: I don't think that it doesn't work. It's not we don't do it well.

GLINDA HILL: I always hear it doesn't work. But I wanted to say something about trans, too. In this, we may want to think about in our report, too. One of the things that helped. I spent 12 years working in birth to three when I came to the department. And one of the things that helped in the 3 transition. It's not working still, but it did help. Was during one of the reauthorizations, it became the responsibility

of the P-B receiving end, and the part C, to get together. There are two different systems here. There is one piece of legislation here. But certainly, when you're talking about transition plans, of post secondary, and higher ed, that there is something in there. That the next reauthorization, it would look at maybe doing transition planning from that end, and pairing it with IDEA transition plan, too. That was the most successful. There is some success in doing cross agency planning, too. In part-C. So there is some really nice precedent to this. So we may want to think about this.

GLINDA HILL: One agency that has responsibility. Transition requires both places.

LUCIA HASTY: It need to be a cooperative project.

GLINDA HILL: Exactly.

LUCIA HASTY: And the picture of what you're transitioning too don't match where you're going.

GLINDA HILL: We're speaking the same language on transition.

LUCIA HASTY: And when you have time, ask her to tell you the story about the Braille fairies. That was my moment flush.

GLINDA HILL: No Braille fairy stories.

SKIP STAHL: David Grace is the director of --

GAEIR DIETRICH: But we do have to recommend possible model demonstration projects. We don't

know if they're going to get funded or not, but that is what we're charged with. This is a really excellent model demonstration to look at. But I know I do a transitioning workshop. With the transcribers of the visually impaired. And I am both appalled at how few people come to our transitioning workshop, and the comments I get afterward. Even one of the parents who is a model parent for raising a blind child in high school. We never used audio with the child. He is good at Braille. Should we use audio, too? Betsey?

BETSEY WIEGMAN: I wanted to imply one resource that is out there. But the office for civil rights does have a transguide that we prepare that had is on our website. It goes through some questions and answers that would be very helpful for student to be familiar with as they prepare for that transition in conference. But if you go to the main OCR page. It's [www.ed.gov/OCR](http://www.ed.gov/OCR). And it's listed there.

LUCIA HASTY: That's good to know. One of the things that I have done since quote retirement is work with -- rehabilitation. In our region there are some wonderful folks with the transition years. And they pull their hair out with the K-12 people for not having a clue with what is happening. All of a sudden vocational -- shows up. And being pushed into the transition planning. The whole thing is just not a pleasant experience. We don't seem to have something where we can all work at this together. The college, or school district, or whatever. The parents are the ones who are the least clueless. They show up with their attorneys at the college,

they need to honor this. And the attorneys don't know any better either. So the parents need to be part of that model project.

GEORGE KERSCHER: So one of the things that you mentioned struck a chord, and it involves when a student moves into college, they need more skills on information acquisition. You know, how many times have I heard people say that the student is asking for a word file because it's the only thing they know how to use. And, you know. There is the whole gamut of skills that are needed to be taught to students. It's very easy if you get it intuitively. But it's not if you can't just look at this information. Perhaps recommend a training. Not only for professors, and for preparation of the materials, but for actual courses where students would get credit for acquiring information acquisition skills.

LUCIA HASTY: And some school districts have done that in relation to learning new technology. The students get a computer credit, or whatever it is for that particular class. But training the teachers, that is where part of the bottleneck is. Many of those teachers out there, who are responsible for getting kids ready to use different technology have not had the time or the opportunity or the inclination to learn all the different methods. So they keep learning everything that they know. They always have hard copy Braille.

GEORGE KERSCHER: I think this is a higher education piece. It's great to get the kids prepared as well as you can. But you don't know where

they're going to go. Or the technology they're going to use on campus.

LUCIA HASTY: And as technology change, and as your task change from high school to college, or college to work, or high school to work, however that works out, you need to be able to access different types of technology. And I think kids need the experience of being flexible, and learning to access new stuff.

GEORGE KERSCHER: And wounded warriors piece fits with this.

GAEIR DIETRICH: Nobody has talked about this before. Thank you. I appreciate you being brave and getting up here in front of us.

[Applause]

GAEIR DIETRICH: Fortunately, our next person is scheduled at 8:15. We can take a very short break. You get six minutes. Run!

(Break).

GAEIR DIETRICH: I'm two minutes late. Okay, is Melody, I think it's Gangle. Am I saying that right?

GAEIR DIETRICH: Yes. Welcome. So you'll have about five minute to present what you would like to say to us, and then you'll have ten minutes for the commission to ask you questions.

MELODY GANGLE: I'm very grateful for this opportunity, and very excited for this opportunity to

present to the commission. I'm the coordinator for the office of students with disabilities, at the University of Portland. It's a small, private universe Catholic university for 3600 students. I spent a summer working for the Department of Defense disability program. I'm a certified rehabilitation counselor. I have also served as an adjunct instructor for the rehabilitation instructor program. And I have been an advocate both here in the United States, as well as in England for the past 22 years. I am very excited to be here today, because I speak from the experience of a disability service provider. I should mention, also, two other things. I am a past president, and also past board member of the Oregon empire association of education and disability. And I also, I think in 2004, maybe, provided testimony to the Oregon state legislature in support of a state bill that later became law requiring publishers provide accessible formats to students with disabilities. That didn't have much teeth.

GAEIR DIETRICH: None of them do.

MELODY GANGLE: So I have personally been providing electronic text formats since 2001. I currently have 108 students on my case load. I do a bunch of things. I am a one-person office. One of them is to coordinate electronic text. One I began, publishers didn't even know what electronic text was. I was learning from scratch. So it was kind of the wild west. Things have gotten a lot better since then. And I appreciate the mainstream publishers. I led the way in providing on text formats. However, there are still gaps. And electronic text that is not

available from small publishers, difficult to get custom books in accessible formats. And disability services is still the middleman. A couple of previous speakers mentioned that. And I really want to emphasize that point. We have so many things to do in disability services on our campuses. And it takes so much time to deal with the electronic texts, and every year, I have to say, I am really frustrated that I'm here today. It's 10 years past when I started this. I am not a technical person. I had to learn it all from the ground up. And I thought, gosh, they'll figure it out. And we'll have a main line stream request process.

And I want to emphasize how excited I am at this commission, my hope that there will be some strong clear guidance as a result of this process that will guide publishers, book sellers, including the booksellers, the contract booksellers on our campus us, who my hope would be dealing with the students directly when the students request the alternate formats. Disability services can still qualify a student as being appropriate or eligible for accommodation for electronic texts, but have that go directly through the people who are already producing the text and buying the text.

And, let's see. I think Scott Lissner had said that he thinks the requirement should lie with the creator to make accessible materials. I fully agree. It helps to clarify everyone's role in the process. We're all human. And that includes faculty and administrators. We're all humans. And again, there are regulations and clear guidance. The joint department of

education and Department of Justice letter that was issued around technology and accessibility, but that first-year colleague letter that was issued really got the attention of a lot of administrators that I know. That was very helpful. So I think that can be part of the process. Doing that training, not only with administrators, but with our technology personnel on campuses. And helping disability services folks then concentrate on serving the needs, as I think it was Lucia mentioned in the end. On prepared students. That is a role of disability services, as well as with technology services to assist them in gaining those skills. In learning how to use the technology.

I don't have time to do that right now. Because I'm too busy trying to track down the alternative formats. So if you can clarify that process, that would be wonderful. Thank you so much for this opportunity.

GAEIR DIETRICH: Questions? I do have one. Because I have also been doing this now for about ten years. In terms of the students, and kind of what Lucia was talking about in transition, and their ability to use the materials. Are you seeing a greater digital divide over the ten years, or are we doing something more. Higher level, or lower level, than ten years ago?

MELODY GANGLE: I think that's a great question. I think there are going to be pockets of students. I think as Lucia has said, students tend to really overspecialize in technology. So they may get to know one piece, or even a couple of pieces of software very well. But they haven't generalized

those skilled to be able to hit the ground running to knowing new pieces of technology. That is part of the transition to go through -- all students learn new technology when students go to college. But when a student has a disability, and from day one they need to learn the alternate formats to learn the material that they're responsible for. That's a skill that they need from day one.

So I think that, I would say, some students are, some students have no knowledge of alternate formats or how to use those at all. Some have very basic computer skills in general. And some are more advanced. It is varied, tremendously. And I think that is something that needs to be taken into consideration.

GAEIR DIETRICH: Yeah, this is making me think about it. Because you and Lucia had brought up a couple of things I hadn't thought about. But when I think about students I see coming in. Students with disabilities. Ten years ago, nobody had it. Everybody realized they had to learn this. Now what I'm sort of seeing is that you have your techies, which may be ten percent of the opportunities. But then you have your digital native who has got a certain level of skill, but think that is all they need. But doesn't recognize that digital flexibility. That is wonderful in highlighting some of these issues. So thank you.

MELODY GANGLE: One other piece that I did want to mention as well is about planning for new technology. I think in whatever guidance that is created, it would

be very helpful to have some open ended language to anticipate new technology. Because teaching -- is extremely fluent now in dynamic, and changing incredibly rapidly, and it relate to this issue of students coming in not prepared to learn technology. Because all students have to learn new technology now in college.

And it's an additional responsibility that we're placing on students who have alternate format needs to get up to speed with their technology. And when the teaching changes, and the technology used in the classroom changes, then everyone is getting up to speed with that new technology. And the alternate format, or the accessible technology is updated last. And it's vital that not continue to happen. Because it will never get caught up if that continues.

GAEIR DIETRICH: Thank you so much for taking the time to comment, especially so late at night.

[Applause]

GAEIR DIETRICH: Is Tom here?

TOM THOMPSON: There's less of you to look at.

GAEIR DIETRICH: Dropping like flies here.

TOM THOMPSON: I am a recently retired disability services director from a large community college in Chicago. I was in that role for 30 years. I am a former head board member from 20 years ago, and I do consulting work. ADA issues. I wanted to commend you for your work. And underscore its importance. I'm not sure we'll see another

commission like this. Although, it would be great to think that there will be another one. Let me begin by telling you a story in Illinois where I'm from. A group of us that are on an advisory board a group of higher education in Illinois, which existed since 2004. We do a number of things to influence state policy and practices. Last year we did a survey of all institutions, and 40 some odd community colleges. But one of the things we wanted to find out about was practices related to instructional materials at Dtechs. There were schools that did nothing. Absolutely nothing. There were no formal efforts to do with digital instructional materials at all. Some were still using, or creating audio versions of textual materials. And there were schools that were producing over a thousand pages of instructional texts, and also captioning of everything. So that gives you an idea of what was happening in the state of Illinois. And the range of money spent on how much was being spent on converting materials was nothing to \$100,000. It demonstrates the state of things. It's a hodgepodge in Illinois. Being from a community college, if you think of going to a community college, and then transferring to another school within the state, even one of the state universities, you could experience a very different responsibility to respond to your needs, even with the geography of a single state. The Chicago community colleges have 15-36,000 students. And many of the community colleges are not very well resourced to deal with any kind of materials of instructional text. Online media, use of Youtube, captioning, and all those other issues that are out

there. And that is an environment, where in Illinois, we passed information accessibility technology law. A few years ago. Unfortunately, with Illinois politics, and interpretation of the law, it only applies to the state universities. Even though the community colleges are considered school, because we have local governance, we don't have to pay any attention to that law. People have made, since the things that I have heard, gave a lot of detailed suggestions. I'm going to give you a lot of broad thoughts on this commission. Simply put, we really need your assistance. We need you to do excellent work in terms of what your deliverables and what your work products are going to be.

Specifically, I think because digital materials, and digital instructional materials are really where everything is going. Higher education. This is going to get bigger and bigger. In terms of what I think you can do, everything that you can do to simplify, directly or indirectly the access to digital instructional materials, whether that's in the form of best practices that you become aware of, or know about, dealing with the conflicting interests that are involved. And using digital materials between publishers and students and institutions, that's critical. And the issue of format. Like standardized format. Is there an ideal format, or a couple of formats that you might want to work with. And secondly, anything that you can do to promote best practices through the development of a clearinghouse, or regional center, to help people deal with this issue. The advisory committee, the board

of higher ed, is working with, very slowly. If there is no money. Trying to come up with something even in Illinois, to help people who would like to do more of this, but have no other way of knowing where to go, to resource themselves. To have somebody in IT or disability services who can deal with these issues.

And then I think providing, I don't know exactly what forms your recommendations are going to take, but providing some clear steps about what the federal government can do. Anything they can do to take the next steps, as state governments. Or anything as the people in the field, practitioners can do, to advance our state's ability to deal with instructional materials.

I would personally like to see the next time as much emphasis and money put on this area of focus on students with intellectual disabilities in higher education.

GAEIR DIETRICH: Any questions?

TOM THOMPSON: I guess that's a good thing.

GAEIR DIETRICH: My one question is would you be able to share this day that you were talking about in.

TOM THOMPSON: Sure.

GAEIR DIETRICH: That is the sort of thing that I like to see. Because there is a lot of rhetoric that is passed around. But if we have data. At least we have a case study here. Some information from one of the states. And something to point to. So that would be really excellent. And you can always send

it just a PSC. Post secondary commission. PSC at CAST.org. That's the easiest one.

TOM THOMPSON: I'll do. That.

GAEIR DIETRICH: Thank you so much. Especially this late at night to speak with us.

[Applause]

GAEIR DIETRICH: One more. Elizabeth Sullivan. Oh, yeah. You're here.

ELISABETH SULLIVAN: I'm so sorry that I'm you're last. I'll be as quick as I can.

GAEIR DIETRICH: We're very happy about that.

ELISABETH SULLIVAN: I'm from Chicago. I'm from DePaul University. We're the largest Catholic university in the U.S. I work in the plus office. We currently have a system where the disabilities office is sectioned into two parts. We have students with LD and SDHD. Some of our data have been kept separate, but we're going to be aligning those over the next year or two. This year, we received, or we applied for a grant. And the university went ahead of the grant process and funded us for technology initiative. So we had about \$50,000 to spend on acquiring technology to helping our students, particularly tackling the LD/HD population. So they could use the technology that we acquired. So technology accessibility was kind of under the microscope this year. It's an ongoing process. We'll be doing that over the next few years as well. Some of the general conclusions that came out of it, I say

the biggest was the technology is wonderful for a few students. For a few, it was even life changing, especially for students who are coming back, who had been experiencing life who had a disability. Then to discover things, like Kertz file or a smartpen, and how they can use those. We found that especially with older student, like graduate students or older students over 24 returning to school. We also found that technology is also a barrier for students. Freshman coming in these days take a course load of four classes. They may have a writing class where they are expected to use digital education. A math class where they are using my math lab. And another class where they may be using another interface with a professor. Many of our students are overwhelmed by this. We currently use a math placement system now. We have a new math placement now. And the new process is extremely frustrating. The students have to input a code, which is posted on the website. It's not something that they can cut and copy. It's in a PDF. They have to input two lines of at least 16 characters, mixed letters and numbers. And if they don't take care of it in a timely way, the numbers are different the next time they come up. So we are seeing technology in that way as a barrier. I'm sure you have already heard about my math lab. But even when these other systems, for example, Digication has all these other features, they can be very useful to our students. What is difficult is all the different processes, and all the different steps. And with someone who has problems with sequencing all the

different procedures, keeping that straight, when you add onto that, it's overwhelming.

So we had the funding for all this new technology, and the students were very enthusiastic about it. But we didn't get funding for training. We are a multiperson office. So we used our existing staff, with their other responsibilities and their existing GAs, but the overwhelming consensus was that we need more support. The students needed more training. The GAs felt that they needed more time to train students on it. The clinicians who work one on one with about a quarter of our students indicated that in order for them to use it effectively with the students, which we found was the best way to invent the learning process was to work on curriculum with them one on one. The clinicians felt that they didn't have enough time to train and adapt to the new technologies. So we went through a process of vetting the technologies, and selecting what was best for us. And in general, those decisions helped. But the overwhelming take away from that was that we need more training.

So I would echo a lot of what Tom was saying about simplifying. All of these tools are useful. And the overwhelming technologies. But just the whole process of interacting with them can be a barrier.

GAEIR DIETRICH: Thank you. Questions? Dave?

DAVID BERTHIAUME: I was just wondering for the 25,000 students. Large, good-sized universities,

how many students at the two offices that you described are served. And how large the staff is.

ELISABETH SULLIVAN: At the plus program which is currently LD and ADHD. There are 4 full time, 6 part time. A lot of those are the one on one, masters level clinicians. And two GAs. In the office for students with disabilities, there is one part time coordinator, one GA, and one more. We share one of the full times, is the Admin for both.

DAVID BERTHIAUME: And how many students are you serving for the university, roughly?

ELISABETH SULLIVAN: About 450 for the plus program. And about a couple hundred to 250 for the rest. I would say the most predominant disabilities are mental health and chronic illness.

SKIP STAHL: You raised an interesting comment. They require multiple log ons. And in the best of all possible worlds, a student logs in and gets a security certificate, and that allows them access to all the materials. It's something that the commission hasn't really tackled. But I think it's a very important point. That it's kind of the wild west out there now. Because all the vendors are competing with one another for kind of student eyes and ears. And there isn't really any real incentive to standardize those interfaces, as long as there isn't a whole lot of pressure in place. I'm hoping we'll start to see a little more uniform interface by getting students access. By K-12, as everybody is aware is largely different from post secondary. So they're still

perceived incentive to keep students locked into, or locked out in some cases.

GAEIR DIETRICH: Questions, comments for Elisabeth? I think the one thing that I would like to say is you know that I am sort of a little disappointed with myself because I hadn't thought about the issue with the codes. This is going to be a huge issue with the veterans.

ELISABETH SULLIVAN: That is becoming a bigger issue for us. It's very overwhelming. They're often using our office to learn basic technology skills.

GAEIR DIETRICH: And we have to recognize that whatever point the war does end, we're going to have a flood of those students returning. Many of whom have head injuries, or PTSD. Just about anybody who served more than one tour has got some sort of issue. That is a huge, huge problem. Thank you for reminding us of that.

[Applause]

GAEIR DIETRICH: So I officially declare the public hearing closed. And thank you to our CART provider. I never got your name. And thank you so much for our interpreters for stays with us all day long. And of course our support staff.

[Applause]

(Meeting ends)

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