



The Association of Educational Publishers

510 Heron Drive, Suite 201  
Logan Township, NJ 08085  
Phone: 856.241.7772  
Fax: 856.241.0709  
E-mail: [jhill@edpress.org](mailto:jhill@edpress.org)  
Website: [www.edpress.org](http://www.edpress.org)

## FOR IMMEDIATE RELEASE

### **Supplemental instructional materials approved for use in programs authorized by IDEA 2004**

*Rules for reauthorized legislation establish supplementals as valid purchase for early intervention programs, clarify implementation of new accessibility standard*

**Washington, DC** – Workbooks, computer software, and DVDs are important learning components in programs designed to help struggling learners, according to regulations governing the implementation of the Individuals with Disabilities Education Act (IDEA) 2004. Published August 3, 2006, by the U.S. Department of Education (USED), the IDEA regulations support and encourage the use of supplemental instructional materials in early intervening services, and therefore establish supplementals as valid for purchase with Title I funds.

“Teachers have relied on supplemental materials for years to help struggling learners,” stated Charlene Gaynor, CEO of the Association of Educational Publishers (AEP). “This recognition from the Department of Education is a huge step in validating the important role these products play in teaching and learning.”

In 2004, language drafted by AEP was included in the IDEA Conference Committee Report. That same language was quoted in the discussion of the new rules:

Early intervening services should make use of supplemental instructional materials, where appropriate, to support student learning. Children targeted for early intervening services under IDEA are the very students who are most likely to need additional reinforcement to the core curriculum used in the regular classroom. These are in fact the additional instructional materials that have been developed to supplement and therefore strengthen the efficacy of comprehensive core curriculum.

Publishers of supplemental materials should be aware of this stipulation and, in turn, make it known to their customers.

In another section of the rules, USED explained when states must act on the new National Instructional Materials Accessibility Standard (NIMAS), legislation that aims to streamline the production and delivery of instructional materials to blind and visually impaired students. The rules discussed reasonable steps toward the provision of accessible materials, and provided a definition of visual impairment for students the standard is designed to serve.

For publishers it is important to know that States will still be required to act by “December 3, 2006, as part of any print instructional materials adoption process, procurement contract, or other practice or

instrument used for purchase of print instructional materials, enter in to a written contract with the publisher of the print instructional materials to: (1) require the publisher to prepare and, on or before delivery of the print instructional materials, provide the NIMAC with electronic files containing the content of the print instructional materials from the publisher that are produced in, or may be rendered in, specialized formats.” The effective date is two years after the bill was signed and most states and publishers have been preparing to comply with the law. The U.S. Department of Education, Office of Special Education is working with the states to provide a smooth transition during the implementation period.

Final rules will be published in the federal register on August 14, 2006. The full comments, discussion and proposed rules are currently on the USED website at <http://www.ed.gov/policy/speced/guid/idea/idea2004.html>. Information about NIMAS is available at <http://nimas.cast.org>.

# # #

### **About AEP**

The Association of Educational Publishers (AEP), founded in 1895, is a national, nonprofit association devoted to serving and advancing the supplemental educational publishing industry. Its membership represents the many facets of the educational publishing community including publishers, service providers, nonprofit associations, schools, researchers, and freelance contributors. With the rapid growth of new educational technologies, AEP members are at the forefront of delivering progressive, educational products and services that address individual learning needs and differences. Please visit [www.edpress.org](http://www.edpress.org) for more information.